

Edward Farrar Utility District
Wednesday October 10, 2018
Steele Community Room; 4:30 p.m.
Minutes

Present: P.H. Flanders, R. Finucane, N. Sherman, C. Parks, and L. Sayah, Commissioners;
W. Shepeluk, Municipal Manager, B. Woodruff PWD, S. Lotspeich, K. King, Staff

Members of the Public: A. Imhoff, E. Coffey, J. Siegel, D. Einhorn

P. Flanders called the meeting to order at 4:30 p.m.

Approve Agenda: Approved as written

Public: No public comment

Consider new contract for Sweet Field Solar Array: W. Shepeluk has been working with AES to alter the billing method of the contract for the Sweet Solar Fields. There will be one final true up through September 30, 2018 at which time the contract will convert to monthly billing. W. Shepeluk believes this new contract will improve the District's cash flow as it's currently sending more than needed on a monthly basis. W. Shepeluk has reviewed the contract and does not believe it's necessary to have it reviewed by an attorney, he also believes there will be a savings in staff time as the true up's will no longer exist requiring reconciliation. **C. Parks made a motion to authorize the Municipal Manager to enter into a contract with the Village of Waterbury LLC, with Exhibit C corrected to Managers satisfaction. N. Sherman seconded the motion; a vote was held and passed unanimously.**

Discuss process of removing the building at 51 South Main Street: W. Shepeluk is responsible for reaching Dan Johnson for permission to use the Crothers Report; according to this report the cost to remove the hazardous materials from the building is \$6,000. The salvageable items will be removed first, and then the hazardous materials, and finally the building can be demolished. Jack Carter has stated the Historical Society would like something from the building but not specifically what item(s). By consensus P. Flanders & L. Sayah will talk to the three parties interested in salvaging materials from the building and report back to the board. B. Woodruff would like parties to take care entering the building as it's unstable.

Consider Contract for Phase II Archaeological Investigation for Batchelder/Lamson site: S. Lotspeich provided proposal from Hartgen Associates, see attached. Phase I testing that was previously performed included 14 test pits and several backhoe trenches. Municipal staff does not recall any specific findings. It's estimated this site is roughly ½ acre of land. **R. Finucane moved to authorize the Municipal Manager to contract with Hartgen Archeological Associates Inc. to perform an archeological study at the Batchelder/Lamson site for \$12,597.00. N. Sherman seconded the motion; a vote was held and passed unanimously.** The timeline for this work to be completed is this fall.

Discuss process for expanding former Waterbury Historical District: S. Lotspeich presented the Commissioners with a letter from Devin Colman, State Architectural Historian. See attached. S. Lotspeich stated the homeowners of the proposed expansion have been notified in writing. There will be a meeting on November 15, 2018 (time unknown) to consider the nomination for the expanded historic district.

Options for evaluating Sewer Installation at Waterbury Commons: B. Woodruff presented the Commissioners with a DRAFT memo from A. Tuscany, Engineer regarding the deflection of sewer pipe.

Update FOG: W. Shepeluk requested the Commissioners clarify their wishes for his letter to restaurateurs. P. Flanders stated the current sewer ordinance mandates a grease trap and that's what should be enforced. W. Shepeluk, Municipal Manager is to send a letter to all restaurant owners on the sewer system mandating they have a properly sized, functioning grease trap along with record keeping.

Update on Main Street Reconstruction: B. Woodruff stated the bid went out this morning. He believes the due date is approximately in 5 weeks. This is a VTrans project. The local share for the Town and EFUD is 2% of eligible costs and 100% of ineligible costs. June 30, 2021 is the current completion date.

Department Reports: Wastewater report – planning ahead for Lagoon 1 sludge removal, finding fields for disposal is a challenge. Elm Street sewer project is scheduled to start on Monday 10/21; there will be some night work. The hydroelectric project on Guptil Road remains at ½ production; the necessary piping work is still not completed.

Future Topics: Operations of the Sewer and Water departments. Should the meetings be recorded?

Minutes: R. Finucane made a motion to approve the minutes of September 17, 2018; C. Parks seconded the motion; a vote was held and passed unanimously.

R. Finucane made a motion to find that general public knowledge of the details of pending litigation involving the Edward Farrar Utility District would clearly place the District at a substantial disadvantage. N. Sherman seconded the motion; a vote was held and passed unanimously.

R. Finucane made a motion to enter into executive session to consider pending litigation and related confidential attorney-client communications made for the purpose of providing legal advice to the Edward Farrar Utility District. The motion included a directive that W. Shepeluk and K. King join the executive session. N. Sherman seconded the motion; a vote was held and passed unanimously.

Commissioners and invited guests entered Executive Session at 6:02pm

Commissioners and invited guests returned from Executive Session at 6:25pm

R. Finucane made a motion to adjourn the meeting at 6:35pm; N. Sherman seconded the motion; a vote was held and passed unanimously.

Next regularly scheduled meeting is Wednesday November 14, 2018, at 4:30pm in the Steele Community Room.

Respectfully submitted,

Karen King, Secretary

Approved:

Nov 14, 2018

Date:



**Edward Farrar Utility District
Commissioners Meeting**
Wednesday October 10, 2018
4:30 pm at Steele Community Room
28 North Main St
Waterbury VT

Agenda

- 4:30 pm Opening
- 4:30 pm Consider any modifications to agenda
- 4:31 pm Public
- 4:36 pm Consider new contract for Sweet Field solar array
- 4:45 pm Discuss process for removal of building at 51 South Main including hazardous material, salvageable materials, and other considerations
- 5:00 pm Consider contract for Phase II Archaeological Investigation for the Batchelder/Lamson archaeological site located on District property near the Ice Center
- 5:15 pm Update on process for expanding former Waterbury Village Historic District
- 5:20 pm Discussion of options for evaluating sewer installation at Waterbury Commons
- 5:30 pm Update on FOGs control
- 5:35 pm Update on Main Street Reconstruction bids
- 5:40 pm Department Monthly Reports
- 5:50 pm Focus Topic for next meeting
- 5:55 pm Minutes
- 6:00 pm Adjourn

THIRD AMENDMENT TO SOLAR ENERGY SERVICES AGREEMENT

THIS THIRD AMENDMENT TO SOLAR ENERGY SERVICES AGREEMENT (this "Amendment") dated as of October __, 2018 (the "Effective Date"), is entered into by and between **Village of Waterbury Solar I, LLC**, a Vermont limited liability company, with an address of PO Box 658, Waterbury, VT 05676 ("Provider") and the **Edward Farrar Utility District**, the successor municipal corporation of the former Village of Waterbury ("Customer").

RECITALS

WHEREAS, Provider as the assignee of Green Lantern Capital, LLC and Customer are parties to that certain Solar Energy Services Agreement dated October 17, 2013 (the "SSA"), whereby Provider is to sell net metering credits attributable to the electricity output of a solar photovoltaic electricity generating facility constructed by Provider on Customer's premises (the "System"); and

WHEREAS, the SSA was amended by Provider and Customer as of May 9, 2014 (the "First Amendment") and the SSA was further amended by Provider and Customer as of August 12, 2014 (the "Second Amendment"); and

WHEREAS, Provider as the assignee of Green Lantern Capital, LLC and Customer are parties to that certain Easement and Site License Agreement dated May 9, 2014 (the "Easement") whereby Customer has provided Provider with the access certain of the Customer's real property (the "Site") and to develop, construct, install, operate and maintain the System on the Site; and

WHEREAS, Provider and Customer wish to further amend the SSA as set forth herein; and

WHEREAS, Provider and Customer wish to make certain other further acknowledgements regarding the SSA and the Easement.

NOW, THEREFORE, the parties hereto agree as follows:

1. Amendments to the SSA.

1.1 Section 5.2 (Billing) of the Agreement is hereby deleted in its entirety and replaced with the following:

"Section 5.2 (Billing). For all periods included in the Service Term, Customer shall pay Service Provider the Service Price specified in and calculated in accordance with Exhibit B hereto. For each month of the Service Term, Service Provider shall calculate the amount due and payable to Customer for the Output produced and allocated to a Customer Meter with respect to the immediately preceding month (and any prior month if not previously invoiced), as specified in Exhibit B hereto, and shall send to Customer an invoice, including such calculation, with sufficient detail for Customer to verify the calculation and the total amount due and payable for the previous month. Customer shall pay Service Provider any amounts due and payable hereunder for Output delivered during the preceding month (or any prior month if not previously invoiced and paid) no later than 30 days after receipt of such invoice.

1.2 Exhibit B to the SSA is hereby deleted in its entirety and replaced with the Exhibit B attached hereto.

1.3 Exhibit C to the SSA is hereby deleted in its entirety and replaced with the Exhibit C attached hereto.

3. Audit of Output and Reconciliation.

Within 60 days after the Effective Date of this Amendment, Service Provider shall conduct a final audit of Output allocated to a Customer Meter through the period ending September 30, 2018, and shall reconcile the Customer's billing account to actual electricity produced through September 30, 2018 in accordance with the methodology that was in effect under the SSA during the period before the Effective Date of this Amendment. The changes made to the SSA as specified in Section 1.1, 1.2, and 1.3 of this Amendment shall apply beginning with the billing cycle starting October 1, 2018.

4. Miscellaneous Provisions.

(a) Except as specifically amended and pursuant to the terms of this Amendment, the terms and provisions of the SSA and the Easement shall remain in full force and effect.

(b) This Amendment may be executed in one or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the parties and delivered to the other party, it being understood that all parties need not sign the same counterpart.

[Signature page follows]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed under seal by their respective authorized signatories as of the date first indicated above.

PROVIDER:

Village of Waterbury Solar I, LLC

By: _____
Name:
Title:

CUSTOMER:

Edward Farrar Utility District

By: _____
Name: William Shepeluk
Title: Municipal Manager

EXHIBIT B

Service Price

Net Metering Credits: For each kWh of Output allocated to a Customer Meter, the Customer will receive a monetary Net Metering Credit on its Utility bill for such Customer Meter. Under the Utility's current rates and policies, the value of the Net Metering Credits per kWh allocated to the Customer Meter on a demand-billed rate schedule would be \$0.21/kWh, comprised of the current retail rate of \$0.15/kWh plus an additional solar incentive payment of \$0.06/kWh, subject to future changes in the Utility's rates and policies.

Service Price: For each kWh of Output allocated to a Customer Meter, Customer agrees to pay Service Provider a "Service Price" equal to 90% of the monetized value of the Net Metering Credit for such kWh of Output (expressed in dollars per kWh), which shall equal the Utility's Residential Rate 1 base kWh rate plus any adder or adjuster for solar or other renewable energy that the Utility offers for solar or other renewable energy production attributable to production from the System; provided, however, that in no event shall the Service Price per kWh of Net Metering Credit be less than \$0.15 per kWh or greater than \$0.25 per kWh (such proviso, the "Collar"). The Service Price shall be the sole amount due or payable by Customer for any Services rendered to Customer or otherwise performed by Service Provider hereunder (except as otherwise specified in the Agreement, including, without limitation, the requirement to pay Late Fees when applicable).

The retail rate and Solar Incentive are subject to future change by the Utility, however, the System has been granted the Solar Incentive for not less than 10 years from the date the System is installed.

EXHIBIT C

Allocation Instructions

Service Provider will instruct the Utility to allocate the kWh of electricity generated by the System to the Meters as follows:

1. Service Account Name: Edward Farrar Utility District
Account Number: 88021104745
Allocation Percentage: 0.241%
2. Service Account Name: Edward Farrar Utility District
Account Number: 6788300000
Allocation Percentage: 0.251%
3. Service Account Name: Edward Farrar Utility District
Account Number: 6803400000
Allocation Percentage: 0.279%
4. Service Account Name: Edward Farrar Utility District
Account Number: 7298300000
Allocation Percentage: 0.292%
5. Service Account Name: Edward Farrar Utility District
Account Number: 9192400000
Allocation Percentage: 0.360%
6. Service Account Name: Edward Farrar Utility District
Account Number: 5369500000
Allocation Percentage: 0.325%
7. Service Account Name: Edward Farrar Utility District
Account Number: 5432500000
Allocation Percentage: 0.424%
8. Service Account Name: Edward Farrar Utility District
Account Number: 5974000000
Allocation Percentage: 0.340%
9. Service Account Name: Edward Farrar Utility District
Account Number: 4064000000
Allocation Percentage: 0.743%
10. Service Account Name: Edward Farrar Utility District

Account Number: 7294000000
Allocation Percentage: 6.277%

11. Service Account Name: Edward Farrar Utility District
Account Number: 9332500000
Allocation Percentage: 15.571%

12. Service Account Name: Edward Farrar Utility District
Account Number: 1269500000
Allocation Percentage: 12.620%

13. Service Account Name: Edward Farrar Utility District
Account Number: 9172300000
Allocation Percentage: 62.277%

HARTGEN



.....: archeological associates inc:

September 26, 2018

Elise H. Manning Sterling
Hartgen Archeological Associates, Inc.
P.O. Box 81
Putney, Vermont 05346
emanning@hartgen.com

CORPORATE
1744 Washington Ave. Ext
Rensselaer NY 12144
p +1 518 283 0534
f +1 518 283 6276

NEW ENGLAND
PO Box 81
Putney VT 05346
p +1 802 387 6020
f +1 802 387 8524

Steve Lotspeich
Community Planner
Town of Waterbury
28 North Main St., Suite 1
Waterbury, Vermont 05676
P: 802.244.1012
slotspeich@waterburyvt.com

Subject: Phase II Archeological Investigation Proposal - P2018-251
Lamson/Bachelor Archeological Site, Ice Center Property
Town of Waterbury, Washington County, Vermont

Dear Steve,

Thank you for asking Hartgen Archeological Associates, Inc. (Hartgen) to prepare a work scope and cost for conducting a Phase II archeological investigation at the historic Lamson-Bachelor Site (VT-WA-131) located at the Ice Center Property in River Road Park, Village of Waterbury, Washington County, Vermont. This 19th-century domestic site was identified through historic research in 2000, and subsequently, a Phase IB archeological investigation was undertaken (Hartgen 2001). The Phase IB field study of the Lamson-Bachelor site entailed a surface reconnaissance, excavation of 14 shovel test pits (STPs), and the excavation of three backhoe trenches. The property has recently come under the ownership of the Edward Farrar Utility District who will be funding the project. Present project plans at the site include possible installation of parking areas or construction of new soccer fields.

The project is under review to meet the requirements of Vermont Act 250 and Section 106 of the National Historic Preservation Act. The report will be reviewed by the Vermont Division of Historic Preservation (VDHP). Hartgen's proposed scope of work adheres to the *Vermont State Historic Preservation Office's Guidelines for Conducting Archeology in Vermont* (VDHP 2017). The investigation will be overseen by a Hartgen Principal Investigator who meet the Secretary of the Interior's Professional Qualification Standards outlined in *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines as Amended and Annotated* and required under Title 36 of the Code of Federal Regulations, Section 61 (36 CFR 61).

.....: www.hartgen.com:

QUALIFICATIONS

In over 40 years of business, Hartgen has grown to become the largest privately-owned cultural resource management firm in the Northeast and a recognized leader in the field. The company provides a full range of archeological and historical services which help clients to comply with the requirements of Section 106 of the National Historic Preservation Act, the National Environmental Policy Act, and Vermont Act 250. Hartgen has extensive experience conducting cultural resource projects for federal, state, municipal, and private clients. With a staff of 25, Hartgen has the size to manage numerous projects concurrently and the flexibility to respond to urgent requests. Hartgen is based on a flexible corporate structure that allows for the most efficient use of staff under varied and changing circumstances. The firm also has established relationships with professional subconsultants in geoarcheology, floral, faunal, and other specialized analyses. Hartgen's senior staff members have completed the Introduction to Federal Projects and Historic Preservation Law training. Selected staff members also are certified in conducting archeological investigations at sites involving hazardous materials and associated environmental concerns.

Hartgen has successfully completed more than 5,500 cultural resource studies ranging from sensitivity screenings, Phase I documentary and field surveys, Phase II site examination studies, to Phase III site mitigations, and architectural history studies. Many of these investigations have been completed for projects relating to transportation, such as highways, bridges, canals, trails, and parks, as well as for water and sewer collection, natural gas transmission, water storage and treatment facilities, and electric transmission corridors and related facilities. Many of Hartgen's projects also have included architectural surveys and assessments of National Register eligibility for historic structures. Hartgen has completed approximately 100 archeological and historical investigations in Washington County, including 14 in the Town of Waterbury. Additional information about Hartgen's qualifications, experience, and services can be found at www.hartgen.com.

PHASE II ARCHEOLOGICAL SITE EVALUATION

The proposed Phase II investigation will include the excavation of twelve- 50 cm square shovel tests. Based on the study of the deposits and artifacts identified in these STPs, in conjunction with the map, soils and artifact data collected during the 2001 Phase IB archeological investigation, the location of several larger metric units (ex. 1m x 1m or 1m x 2m) will be established. These larger units will be placed in areas exhibiting the greatest potential for historically significant deposits. This could include areas of high artifact density, location of features or structural remains. It is proposed that up to total of eight square meters be excavated at the site, which includes shovel test excavation (three square meters), and larger unit excavation (five square meters).

Shovel tests will be excavated at 10-meter (33 ft) intervals. Confirmation shovel tests may be excavated at reduced intervals in the vicinity of archeological finds to assess their significance. Each shovel test will be 50 centimeters (1.6 ft) square. The STP and Unit excavation methodology entails placing a tarp on the ground adjacent to the excavation unit. The square outline of the shovel test pit is cut with a shovel. The sod is removed intact and placed on the tarp. Excavations are continued to subsoil, which in these areas, may extend to between 40 to 60 cm in depth. The depth is determined by the soil stratigraphy and depth to subsoil. The excavated soil is screened through 0.25-inch hardware mesh over the tarp, and examined for both precontact (Native American) and historic artifacts. The stratigraphy of each test will be recorded including the depth, soil description, and artifact content. After documentation of the shovel test stratigraphy and significant artifacts, the test is backfilled with the screened soil. The sod is placed on top of the soil and tamped down to the original

ground height. The location of each excavation unit will be plotted on the project map. Test excavations will be photographed.

Laboratory Processing and Curation

All precontact (Native American) cultural material and significant historic artifacts such as glass, ceramics, food remains, hardware, and miscellaneous items will be collected. Coal, ash, cinder, brick, and modern materials will be noted. Artifacts collected will be placed in paper or plastic bags labeled by provenience and inventoried in a bag list.

- Up to 400 artifacts will be processed within the cost range outlined for Phase IB work. Artifacts will be cleaned and entered into a Microsoft Access database that will be included in tabular format in the report. This scope of work does not include arranging curation of artifacts with a permanent repository. Hartgen will dispose of any samples collected during the course of its work in the manner it deems appropriate, unless otherwise instructed at the time of authorization.

REPORT PREPARATION

The end of field letter and final report will be prepared according to the *Vermont State Historic Preservation Office's Guidelines for Conducting Archeology in Vermont* (2017). A Phase II report will be prepared that will contain text, shapefiles, tables, color maps, high resolution digital (archival) photographs, shovel test records, and an artifact inventory. Hartgen will provide a PDF version of the draft report for the client that can be submitted to VDHP. The VDHP will review the Phase II report and offer editorial comments as appropriate within 30 days of receipt. Hartgen will address those comments within 30 days with a revised report. Hartgen will submit 2 hard copies and 2 digital copies of the final report.

SCHEDULING, FEES AND PROVISOS

Hartgen will commit to a firm field schedule at the time of authorization.

- The Phase II fieldwork can currently be scheduled for the fall of 2018.
- Hartgen will be provided with the most recent project maps in a format compatible with AutoCAD LT 2012 or GIS data compatible with ArcGIS 10.2.
- This proposal does not include meeting attendance.
- The scope of work outlined in this proposal will be completed for a cost estimate of \$12,597.00.
- This proposal and cost is in effect for the next 60 days.

If you have any questions about this proposal, please contact me at emanning@hartgen.com or 802-380-2845.

Sincerely yours,



Elise Manning Sterling, MA, RPA
Project Manager

HARTGEN



archeological associates inc

COST ESTIMATE

Phase II Archeological Site Evaluation
 Lamson-Bachelder Site
 Town of Waterbury, Washington County, Vermont
 September 26, 2018

	qty	hours	rate	subtotal
LABOR				
Task 1: Mobilization				
Project Director		0	\$ 78.00	\$ -
Field Archeologist		0	\$ 44.00	\$ -
Field Mobilization Asst		0	\$ 30.25	\$ -
				\$ -
Task 2: Fieldwork				
Principal Investigator/Proj		24	\$ 82.25	\$ 1,974.00
Project Director		0	\$ 78.00	\$ -
Field Archeologist	3	24	\$ 44.00	\$ 3,168.00
Sr Architectural Historian		0	\$ 84.00	\$ -
Architectural Historian Assl		0	\$ 42.00	\$ -
Surveyor		0	\$ 69.00	\$ -
		0	\$ -	\$ -
				\$ 5,142.00
Task 3: Laboratory Processing				
Project Director		0	\$ 78.00	\$ -
Laboratory Director		8	\$ 55.00	\$ 440.00
Laboratory Archeologist		32	\$ 48.00	\$ 1,536.00
				\$ 1,976.00
Task 4: Research				
Project Director		0	\$ 78.00	\$ -
Sr Architectural Historian		0	\$ 84.00	\$ -
Researcher		0	\$ 47.00	\$ -
				\$ -
Task 5: Report Preparation				
Principal Investigator/Proj		32	\$ 82.25	\$ 2,632.00
Project Director		0	\$ 78.00	\$ -
Sr Architectural Historian		0	\$ 84.00	\$ -
Architectural Historian Assl		0	\$ 42.00	\$ -
Editor		1	\$ 82.25	\$ 82.25
CAD/GIS Specialist		8	\$ 74.00	\$ 592.00
Copy Clerk		1	\$ 42.50	\$ 42.50
		0	\$ -	\$ -
				\$ 3,348.75

HARTGEN



..... archeological associates inc

COST ESTIMATE

Phase II Archeological Site Evaluation
 Lamson-Bachelder Site
 Town of Waterbury, Washington County, Vermont
 September 26, 2018

	qty	hours	rate	subtotal
LABOR				
Task 6: Project Management				
Principal Investigator/Proj		1	\$ 82.25	\$ 82.25
Project Director		0	\$ 78.00	\$ -
Technical Assistant		1	\$ 69.00	\$ 69.00
		0	\$ -	\$ -
				\$ 151.25
LABOR SUBTOTAL				\$ 10,618.00
EXPENSES				
	qty			
Field supplies			\$	-
Lab supplies	1		\$ 50.000	\$ 50.00
Mileage	700		\$ 0.540	\$ 378.00
Per Diem	12		\$ 123.00	\$ 1,476.00
Photography	0		\$ 20.00	\$ -
Report reproduction - hard copies	2		\$ 25.00	\$ 50.00
Report reproduction - CD-ROM	2		\$ 5.00	\$ 10.00
Subconsultants			\$	-
Postage	1		\$ 15.00	\$ 15.00
Tolls	0		\$ -	\$ -
	0		\$ -	\$ -
	0		\$ -	\$ -
EXPENSES SUBTOTAL				\$ 1,979.00
LABOR SUBTOTAL				\$ 10,618.00
TOTAL COST ESTIMATE				\$ 12,597.00

P2018-251, ems



Vermont Division for Historic Preservation
Agency of Commerce and Community Development
One National Life Drive
Davis Building, 6th Floor
Montpelier, VT 05620-0501
<http://accd.vermont.gov/historic-preservation>

[phone] 802-828-3211
[fax] 802-828-3206

October 8, 2018

Chris Viens, Chair
Waterbury Town Select Board
28 North Main Street, Suite #1
Waterbury, VT
05676

RE: Proposed Nomination to the National Register of Historic Places
Waterbury Village Historic District (Additional Documentation and Boundary Increase)
Waterbury, VT

Dear Mr. Viens:

We are pleased to inform you that the above-referenced property will be considered by the Vermont Advisory Council on Historic Preservation for nomination to the National Register of Historic Places at its meeting on **November 15, 2018**. For your convenience, a draft copy of the National Register nomination is posted online at: <http://accd.vermont.gov/historic-preservation/identifying-resources/nrhp/pending>. The nomination has two sections:

1. An update of the original 1978 National Register nomination, with current information about the buildings that are presently listed; and
2. A boundary increase area, which adds new properties to the historic district by expanding the National Register Historic District boundaries.

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

Listing of this property provides recognition of its historic importance and assures protective review of federal projects that might adversely affect its character. If this property is listed in the National Register, certain federal investment tax credits for rehabilitation and other provisions may apply. Listing in the National Register does not mean that the federal government will place limitations on this property, nor



are public visitation rights required of owners. The federal government will not attach restrictive covenants to this property or seek to acquire it.

Nomination of this property to the National Register is being requested by the Town of Waterbury. As part of the nomination process, the Vermont Division for Historic Preservation is required to notify in writing the chief elected official of the municipal political jurisdiction in which the property is located of our intent to bring the nomination before the Vermont Advisory Council on Historic Preservation. This notification must be sent to the chief elected official at least 30 days but not more than 75 days prior to the meeting.

If, after reviewing the draft nomination, you have any questions about its content or the next steps in the listing process, please do not hesitate to contact me at 802-828-3043 or devin.colman@vermont.gov. All comments and/or questions must be submitted to our office at least one day prior to the date of the Advisory Council meeting.

Sincerely,
VERMONT DIVISION FOR HISTORIC PRESERVATION



Devin A. Colman
State Architectural Historian

Enclosures: Results of National Register Listing
National Register Criteria for Evaluation

RESULTS OF NATIONAL REGISTER LISTING

In addition to honorific recognition, listing in the National Register of Historic Places results in the following:

- Consideration in planning for federal, federally licensed, and federally assisted projects. Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties either listed in or determined eligible for listing in the National Register. The Advisory Council oversees and ensures the consideration of historic properties in the Federal Planning process;
- Eligibility for certain tax provisions. Owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings. This credit can be combined with a straight-line depreciation period of 27.5 years for residential property and 31.5 years for nonresidential property for the depreciable basis of the rehabilitated building reduced by the amount of the tax credit claimed. Federal tax deductions are also available for charitable contributions for conservation purposes of partial interests in historically important land areas or structures;
- Consideration of historic values in the decision to issue a surface mining permit where coal is located in accordance with the Surface Mining Control Act of 1977; and
- Qualification for Federal grants for historic preservation, when funds are available.
- Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that no Federal monies are involved.
- National Register listing places no obligations on private property owners. There are no restrictions on the use, treatment, transfer, or disposition of private property.
- National Register listing does not lead to public acquisition or require public access.
- A property will not be listed if, for individual properties, the owner objects, or for districts, a majority of property owners object.
- National Register listing does not automatically invoke local historic district zoning or local landmark designation.

For answers to Frequently Asked Questions about the results of National Register listing, please visit:

<http://www.nps.gov/nr/faq.htm#benefits>

NATIONAL REGISTER CRITERIA FOR EVALUATION

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of significant persons in or past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded or may be likely to yield, information important in history or prehistory.

Criteria Considerations

Ordinarily cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life; or
- d. A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

- f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- g. A property achieving significance within the past 50 years if it is of exceptional importance.

The National Park Service developed these criteria to guide the evaluation of buildings, structures, objects, sites and districts for inclusion in the National Register of Historic Places. For more detailed information, please visit: <http://www.nps.gov/NR/PUBLICATIONS/bulletins/nrb15/>

Wastewater Progress Report

October 8, 2018

- **Process:**

- CoMag Building Process floor flood repairs, 95% completed. Awaiting Sherwin Electric to relocate sump controls boxes and to install a floor alarm float. Claim forms and invoices to VLCT have been submitted; Total cost for repairs approx.
- CoMag process running well. TP levels increased from 0.1 to 0.4, due to reducing PAC coagulant slightly to reduce costs. Still meeting present monthly permit 0.8 mg/L limit.
- Alec and Pete also working on Land Application Permit for corn fields, which expires 12/31/2018. Hope to submit by October 31, 2018.
- Sludge depths were taken and lagoon #1 sludge is still holding a 23 inches. We need to anticipate a Lagoon #1 cleanout possibly by 2022. Will need to obtain additional acreage as the WWTP fields are not large enough to accommodate the one million gallons of organic sludge that will be applied. In 2005, the last Lagoon #1 cleanout, the fields were beyond capacity. Note: Obtaining certified fields is a 'waiting list' process. Alec is pursuing possibly using the State fields. If we can use them, they will need to be permitted; another long process. Pete is checking with Farr to get on a waiting list to use their certified fields in Richmond. Also, funds need to be set aside each year for this work; anticipate \$500,000.
- Flow totals for August are:
 - Influent: 5.00 MG, average 0.166 MGD
 - Effluent: 4.00 MG; process ran 11 days/month; avg. 0.333 MGD
 - Precipitation: 3.52 inches

- **Collection System:**

- Cleaning MPS 10/17; TV and cleaning flat lines and Thatcher Brook stream crossing
- Alec continues work on Sewer Ordinance
- Organic loading and testing in system hopefully to begin this fall. The new ISCO sampler has been purchased and is on site.
- Awaiting FOG letter from Municipal Manager to Restaurant owners

- **Personnel**

-

- **2018 Projects:**

- Organic Capacity Study, Phase II to increase BOD capacity from 170 lbs./day – not started
- MPS Grit Removal Screen Project- Obtaining Quotes for 2019 Budget
- 2018 Collection system flushing, pump station cleaning, and TV work – 50% complete
- Bay one enclosure heating and insulation – Completed
- Man-hole repairs – On going
- WWTP pipe and wood shed upgrade – Completed
- WWTP and MPS exhaust fan upgrade – 50 % completed; awaiting quote for wet side duct heating system

MONTHLY Report September 2018

Items of Interest

Sampling / Testing (Lead & Copper, Nitrate)

Maintenance on Reservoir Level Equipment

NEWWA Conference – Stowe

Brush Hogging

CL2 Line Repair at WTP

Ben & Jerry's Activity

High Well Usage – Dry Conditions

Paving Projects

Chemical Deliveries

Maintenance

Regular

Scheduled Monthly Analyzer Maintenance

Water Sources Used

All Surface Sources

Well 1

Sweet Wells

Flow Data

High Day
9/26/18

Low Day
9/23/18

Average Day

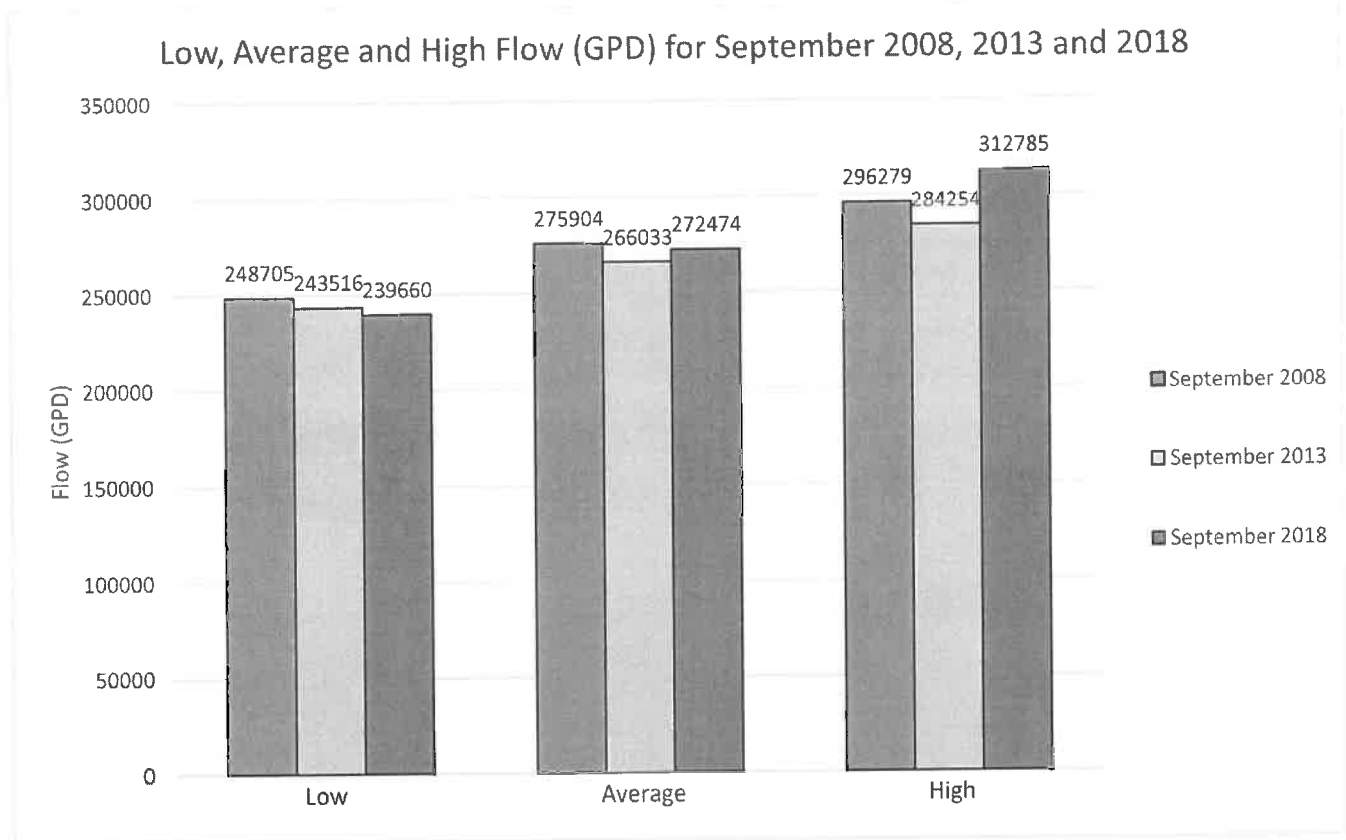
Peak
9/13/18

312785 gal

239660 gal

272474 gal

572 GPM



Notes:

- Data collected from electronic records dating back to 2008

Summary:

This quarter had several significant sampling/testing events which we finished up in September. The first was Lead & Copper testing. This involves collecting samples from 20 homes throughout the water system and submitting them for testing. While we do not have lead pipes in the system, the exact materials within the residential plumbing can be an unknown. We were pleased to learn our sample results indicated no results above (or even approaching) the action level for lead or copper. The 90th percentile for our lead results was 1.9ppb (action level = 10% >15ppb). The 90th percentile for our copper results was 0.021ppm (action level = 10% > 1.9ppm). The other significant piece of testing we finished up in September was Nitrates. These results were typical with what we normally see, and well below any action levels.

We had Bert Parrott from New England Instrument Service Associates on site to work on the level reading equipment at the Blush Hill Reservoir. This equipment had been failing to properly read and send results to the plant. He located the problem, and replacement parts were just recently received at the WTP. Without this equipment, we have been making regular checks on the reservoir level, and have found it to be consistent and without issue.

At the beginning of the month, Matt volunteered at and attended the New England Water Works Association in Stowe (along with Cindy Parks!). The volunteering consisted of assisting with some logistics, and registering attendees. We were also able to attend afternoon sessions, which covered some very interesting and relevant subjects, such as POFA issues in Vermont, watershed management practices in Portland ME, addressing issues of well contamination in small water systems, to name a few. This was a great experience in many ways, and we hope to be able to continue with similar opportunities in the future.

Brush Hogging continued this month, and we continue to make progress on getting all of the areas we maintain brush hogged before winter. Currently, we are working on the areas in the waterworks.

We addressed a leaky CL2 feed line in the plant in September as well. While this is a relatively small project, it is also a tricky one, as it requires feeding the tube through a long section of conduit including several 90-degree corners. Scott was able to get this taken care of, and the chemical feed systems seem to be leak free for the time being.

We have been in communication with the Ben & Jerry's folks regarding higher than normal water usage. This is due to maintenance they are doing on their tanks. As a result of this maintenance, they are drawing water directly from the system for cooling and some cleaning tasks, which is resulting in higher usage. Fortunately, this is all metered water, and should not result in any water loss issues, as the water will ultimately be treated and sent to the WWTP.

We have been using wells more than we really like to this fall, due to the rather extreme dry conditions. While we are getting some production out of the surface water dams, the flows have been low. We have primarily been using Well 1 to supplement production, though occasionally the Sweet Wells too.

We assisted with 2 paving projects this month as well. They were the lower section of Cross Road and Railroad Street. Both of these projects went smoothly.

Well 1 was on in September for 22 days at ~210gpm, for a total flow of ~6,539,400 gallons. The Sweet Wells were used for 89 hours on 4 days in June at ~188gpm for a total estimated flow of ~1,005,714 gallons.

MONTHLY ALLOCATION REPORT FOR COMMISSIONERS

Applications received or pending in October:

STILL PENDING:

Received Application:

Silas Power

212 Blush Hill Road

Connect to Municipal Water Service

Waiting for more information regarding hook up – neighbor to Dean Salvas

Zoning Administrator Dina Bookmeyr-Baker has referred two property owners to me for review of their allocations based on changes in use.

1. Janet Cote

Existing conditions: Janet Cote owns a 0.38 acre (16,553 SF) parcel located at 17 East Street in the Village Residential (VR) zoning district. The lot is currently developed with a one-story single-family dwelling, built in 1956, with an accessory apartment in the basement, an attached garage, and a one ½ story detached shed (zoning permit # 67-12-V). The lot has frontage on and driveway access to East Street and is served by municipal water and sewer. The house is located in the front setback being approximately 23' from the front property line.

2. Zen Barn

Ari, An electronic copy of the zoning permit for your project is attached and has been mailed to you, along with the notice poster. Remember, you must update your municipal water connection to match the number of dwelling units and bedrooms on-site, as currently configured. For your convenience, I've attached the form and copied Karen King, our utility billing clerk, if you have questions. —Dina

I have not heard from either of these land owners.

