

**Edward Farrar Utility District
Wednesday March 8th, 2023
4:30 P.M.
Minutes**

Present in the Steele Community Room: P.H. Flanders, L. Sayah, C. Parks, R. Finucane, N. Sherman; Commissioners. B. Woodruff, T. Leitz, D. Calle; staff. Members of the public present: M. Pomilio. Members of the public attending via Zoom: A. Johnson

Chairperson Flanders called the meeting to order at 4:32 P.M.

Approve Agenda: P.H. Flanders proposed to modify the agenda by moving the Revolving Loan Committee conversation as first order of business and the Anderson lawsuit right after the update on the route 100 project. D. Calle asked to add a discussion on the 10-day grace period right at the end. **N. Sherman made a motion to approve the amended agenda; C. Parks seconded the motion; a vote was held and passed unanimously.**

Consider appointment of members to the Revolving Loan Review Committee: Mark Pomilio from Revitalizing Waterbury expressed interest and willingness to become a member of the committee along with 2 more members: John Zimmerman owns an energy company, VERA Renewables located in Ring Road and Charles Grenier is a retired civil engineer and he is the chair of the Waterbury Area Development Committee. P. H. Flanders informed the board that he has spoken with Kyle Russell, co-owner of K.C. Bagels about becoming member of this committee.

R. Finucane made a motion to appoint Charles Grenier as a member of the Revolving Loan Review Committee for a 1-year term, John Zimmerman for a 2-year term and Mark Pomilio for a 3-year term. L. Sayah seconded the motion; a vote was held and passed unanimously.

Discussion on possible septage effluent discharge to Wastewater system: T. Leitz and B. Woodruff met with a developer who is building a small wastewater treatment facility for residential septage. This developer would like to secure a sewer allocation from us to dispose of 15,000 gallons a day initially and increasing to 50,000 gallons per day. He has also reach out to Montpelier and South Burlington to secure allocations. At this point in the process, they are asking for an ability to serve letter from EFUD. T. Leitz proposed writing such letter pointing out that we have the capacity to serve, but that the allocation would be subject on State permits and approval from the Board among other things. The Board members felt skeptical of the developer's plans in general and would like to see more information about the potential facility, the manner of disposal and details on a previous similar venture they had out of state. P.H. Flanders also pointed out that EFUD would still need to check whether their current permit allows to treat wastewater brought from outside its boundaries. B. Woodruff will look into all the information needed and will communicate it to the commissioners.

Update on operational cost of Oakwood pump Station: B. Woodruff informed the board about the costs of running the pump station which are about \$3,200.00 annually for electricity

and \$400.00 annually for heat. There is no other annual cost other than an occasional painting of the trim. Workload wise it won't impact the crew that much.

Update on high strength Waste fee proposal and revised fee basis for water and sewer: B. Woodruff stated that the next step on the revised fee schedule based on current water usage is to do some sampling in the system to know exactly where we are getting the high strength waste is coming from.

Department Reports: attached to these minutes. C. Parks brought up that fluoride is not a regulatory requirement. The cost of fluoride has increased 5-6 times in the last few years. EFUD board might want to consider this cost and need on a future date.

Update on Route 100 extension: T. Leitz spoke with the Economic Progress Council and they need an updated budget number for the grant application and a commitment letter from J. Unsworth. If T. Leitz provides all the information needed by the 17th, then they will put the project on the March 30th agenda. T. Leitz informed the board that the VT senators have reached out to him asking for projects. He would like to apply for the full amount of the project to each senator.

Update on legislation on dissolving Duxbury Moretown FD: everything is on the hands of the legislature at this time and there is no update on the timing.

R. Finucane moved to find that premature general public knowledge regarding pending litigation would clearly place the District at a substantial disadvantage by potentially disclosing litigation strategy and issues to the opposing party. N. Sherman seconded the motion, a vote was held and passed unanimously.

R. Finucane moved to enter executive session to consider pending civil litigation to which EFUD is a party specifically the lawsuit involving Glenn Andersen. C. Parks seconded the motion, a vote was held and passed unanimously.

At 5:51 p.m., the Board entered Executive session. At 6:15 p.m. the Board reentered open session.

Consider options on VT Beer Shepard Loan: T. Leitz updated the board on this particular loan. The loan is 2 years old now and according to the agreement the first 2 years were set at 2% and the rest at Wall Street prime which at this point is 8.25%. **R. Finucane made a motion to authorize the town manager to renegotiate the terms of the loan to not less than 4% for the remainder of the loan. L. Sayah seconded it, a vote has held and passed unanimously.**

Consider loan for Craft Beer Cellar: T. Leitz presented the loan for a potential buyer for the Craft & Beer Cellar. They are looking to buy the business, not the building. Their collateral would be the inventory. The terms of the loan would be 2% for the first 2 years, resetting to 4% after that. The term of the loan is 5 years.

R. Finucane made a motion to authorize the town manager to authorize the loan for \$75,000 plus closing costs for a maximum term of 5 years at 2% for the first 2 years and 4% for the rest. L. Sayah seconded it, a vote has held and passed unanimously.

Preliminary discussion on potential articles for May Annual Meeting: T. Leitz informed the board about a potential borrowing article for the annual meeting regarding the Water line project near Kennedy Dr and Ashford Ln.

Discussion about the 10-day grace period: D. Calle brought up the issue presented by the 10-day grace period in the billing. The bills are printed and sent on the 20th of the month on February, May, August and November however now with the 10-day grace period interest and penalty can't be posted till the 1st of the month. Which this means is that on the months when there is actual new billing the customer that has a previous balance will receive 2 bills. One that was issued on the 20th and one that was issued on the 1st that also includes interest on the previous balance. Both bills are due on the same day, but also both bills have a slightly different balance. This system also is particularly involved administratively. After discussing this issue, the members of the board asked D. Calle for a more specific example in writing.

Consider Minutes for February 8th 2023 meeting: L. Sayah made a motion to approve the minutes of February 8th 2023 meeting as written. N. Sherman seconded the motion; a vote was held and passed unanimously.

R. Finucane made a motion, seconded by C. Parks to adjourn the meeting at 7:15 p.m. The motion was approved and the meeting adjourned.

The next meeting of the Edward Farrar Utility District is scheduled for Wednesday April 12th, 2023 at 4:30 p.m.