

1 **Town of Richmond**
2 **Meeting of Water and Sewer Commission**
3 **Minutes of September 5, 2023**
4

5 **Members Present:** Bard Hill, David Sander, Erin Farr, Jay Furr, Morgan Wolaver

6
7 **Members Absent:** None

8
9 **Staff Present:** Josh Arneson, Town Manager; Duncan Wardwell, Assistant to the Town
10 Manager; Steve Cote, Water Resources

11
12 **Others Present:** The meeting was recorded for MMCTV, Gary Bressor, Jeff Forward,
13 Jeremy Hoff, Joy Reap, Mary Ann Debay, Mary Houle, Virginia Clarke

14
15 **MMCTV Video:** <https://archive.org/details/RichmondWaterSewer09052023>

16
17 **Call to Order: 6:00 pm**

18
19 **Welcome:** Wolaver

20
21 **Public Comment:** None

22
23 **Additions or Deletions to the Agenda:** None

24
25 **Approval of Minutes, Warrants and Purchase Orders**

26
27 **Minutes:**

28
29 *Sander moved to approve the Minutes of 08/21/23 meeting as presented. Hill seconded.*
30 *Roll Call Vote: Farr, Furr, Hill, Sander, Wolaver in favor. Motion approved.*

31
32 **Warrants:**

33
34 *Furr moved to approve the 9/5/23 Warrants as presented. Sander seconded.*
35 *Roll Call Vote: Farr, Furr, Hill, Sander, Wolaver in favor. Motion approved.*

36
37 **Purchase Orders:**

38
39 *Farr moved to approve PO# 4490 to Liquid Engineering Corp for Gridbee Mixing*
40 *System not to exceed \$25,073.00. Furr seconded.*
41 *Roll Call Vote: Farr, Furr, Hill, Sander, Wolaver in favor. Motion approved.*

42
43 **Items for Presentation or Discussion with those present**

44
45 **Update on Gateway sewer expansion**

46
47 Arneson: Bard and I met with Joy Reap, and MMUSD facilities director Phil Graf, two
48 weeks ago to follow up on this project. The school has yet to repair or replace the
49 leaking sewer line. They are working on trying to get it repaired before the winter. Once

50 the line is repaired it will need to be tested and evaluated. The Commission can decide if
51 they'd like to take over the line or not. The Richmond Land Trust easement will discuss
52 what it can and can't do with service for the sewer line for the Reaps or potentially
53 beyond. The Reaps do have a plan to connect either through the school line or pass the
54 school so they're ready to go either way and expand.

55

56 Hill: Dismantling a switch line when school is in session means it's probably a long
57 weekend or a holiday.

58

59 Cote: They can do it if they use P&P to just pump out.

60

61 Hill: It's the district's plan, not just a single school. I do not want to speak for the Reaps
62 but I think they have at least concept plans for something other than the sewer and or
63 water going there. We invited reps from the Richmond Land Trust to give us an update
64 and what the context and timeline might look like for them. If the line was maintained by
65 the Town, there would be an issue of scope and easements because it would have to
66 access it for operation and maintenance.

67

68 Hoff: Hi I am the Chair of the Richmond Land Trust and Gary Bressor is with me. The
69 Richmond Land Trust board designated several members to investigate the issue further
70 and try to figure out the type of limitations conditions. Our easement holder might
71 require expanding the scope of the line. We own the property, the Vermont Housing
72 Conservation Board holds an easement on the property. We need to get the easement
73 holder's consent. There are a few of us that are meeting later this evening to continue
74 that discussion. I'm optimistic that within a couple of months, we'll get back to you with
75 something substantive.

76

77 Bressor: It's been a little frustrating from my standpoint that it should be a three-party
78 discussion, not just us. There doesn't seem to be any willingness to do that. Do you know
79 if it is going to be dug as an excavator or put in all underground? There needs to be a
80 midpoint where you dig. If it is going to go underground on school property and surface
81 on the Reaps that might be a little different. Are you talking about a pipe that will serve
82 the mobile home park?

83

84 Furr: We've been talking about eight inches because we want to be able to supply
85 hydrants all the way out the interstate.

86

87 Hill: You're describing water. The mobile home park always has plenty of water coming
88 out of the hill so we're not interested in water. We're not interested in sewer unless it was
89 strikingly more affordable than the first economic plan. What is the proposed size of the
90 sewage line? I don't think we had engineering plans up and down the hill. The question
91 is volume. If the Town is going to take it over, it should be capable of serving other
92 properties in the Gateway, some of whom have expressed interest in septic. It's actually
93 good social and public health to connect properties to a wastewater treatment plant as
94 opposed to more septic fields. If memory serves us, it was four to six inches because of
95 grinder pumps and then you're pushing it uphill. Can it be direction-bored versus
96 surface-disruption is an engineering question. What's the maximum size for horizontal
97 boring? What would installation look like?

98

99 Reap: We would be building it to the Town specs because the Town would be taking it
100 over. You're able to bore any size. It's cost prohibitive to do the entire thing that way, but
101 we would do what is necessary which was mostly up that hill. We were not asked to
102 discuss it on behalf of the Land Trust. We're tired of waiting for you to deal with this. I
103 think the Water and Sewer Commission feels the same way at this point.

104
105 Bressor: I feel this should be a three-way discussion. The current easement is with the
106 Reaps.

107
108 Hill: It's probably four ways: Land Trust, Water/Sewer Commission, Reaps, School

109
110 Reap: I really think that this is between the Town and the Land Trust.

111
112 Hoff: You're relinquishing your easement rights and transferring them to the Town. I
113 don't know how everybody wouldn't want to participate in that conversation if the goal is
114 to move it forward collectively.

115
116 Wolaver: From the Land Trust perspective there seems to be a step that the Reaps would
117 relinquish their easement to the Town.

118
119 Hoff: I think that the scope of the easement that would be going to the Town is so
120 different from the Reaps easement that we would want that one extinguished and a new
121 easement put into the Town.

122
123 Hill: We might ask the Land Trust board about what it is you'd want to see in an
124 easement? We want horizontal, not boring open pit construction?

125
126 Bressor: That's what we're meeting about tonight.

127
128 Hill: Follow up after you meet tonight. What are the next steps? Would you be ready to
129 have a meeting with us or others?

130
131 Hoff: Our sub-committee needs to meet probably a couple more times. We will
132 probably take this back to the board at our October meeting. At some point after our
133 October meeting, I think we'd be prepared to have a more substantive conversation.

134
135 Bressor: The Reaps have the right to put the pipe through there by whatever means right
136 now. If we're going to negotiate a new agreement with the Town, we may want to put
137 some stipulations on how that's done. If we get another event that might be caused by
138 digging a trench down that hill which is highly erodible, we might not be able to repair
139 that. I think we want to be careful about how it's done.

140
141 Farr: I didn't realize that the Commission was exploring how we could help the Reaps
142 make this happen. I didn't realize that the Commission decided to take over the line.

143
144 Wolaver: The easement is just to the Reaps property. If the Town wants for others the
145 opportunity to connect past the Reaps then that easement has to change.

146

147 Hill: The Town has a grant of \$150,000 from the Northern Regional Border Commission
148 for the installation. The only way that money can be spent is if the Town fostered it.
149
150 Reap: More importantly, we're not allowed to attach to a private line like the school, it
151 has to be Town owned.
152
153 Hill: It's a mistake to set up the current customers to buy a used pipeline that then
154 requires within a year \$200,000 worth of repair.
155
156 Farr: We are now a little more involved because there are repairs that need to happen
157 first?
158
159 Hill: We're not paying for the inspection or repairs in the line. We're interested in
160 talking about it.
161
162 Reap: The waterline is owned by the Town that goes all the way to the back of the
163 school where we could connect.
164
165 Hill: There's a water line on the school property that was originally built and maintained
166 by the Town.
167
168 Cote: The school sewer line is not up to our goal of what this Town requires because
169 they have a leak.
170
171 Wolaver: We don't know what specs the sewer line was installed.
172
173 Cote: Nope. I was told that the sewer line wouldn't pass pressure test and didn't.
174
175 Wolaver: The school has said they're working on repairing it.
176
177 Reap: It was actually replaced in the 90s. The sewer line is a PVC line, it's from Tyler
178 Billingsley's report. We researched a lot about it to find out what the story was with that
179 line. Tyler did inspect it when it crossed the waterline, there's a report that has his
180 inspection in there.
181
182 Cote: We couldn't go the whole distance with the scope because it was full of water. It
183 would not hold pressure when we pressure tested it.
184
185 Farr: This sounds like a really long process.
186
187 Reap: My understanding is that the Town is not going to take over the line if you can't go
188 further than our property.
189
190 Arneson: There's a couple of questions. If it just services, the Reaps would the
191 Commission be willing to take over? You could construct it from the Reaps up the hill
192 on the Land Trust easement all the way to the intersection with Jericho Road.
193
194 Reap: It is a longer line and then the grant is gone, hundreds of 1000s of dollars.
195

196

197 Hill: There is interest of other residents and property owners in the Gateway for service.
198 I'm already a customer and also think about the existing customer. Our hands are tied by
199 ordinance and policy about current users paying for expansion. We don't currently have a
200 line in Rt 2 because it was too expensive for those new users.

201

202 Wolaver: It is a standing item for the next agenda.

203

204 **Discussion of billing for water used for flood cleanup**

205 [https://www.richmondvt.gov/fileadmin/files/Water Sewer Commission/Meetings/2023/0](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4b1_Water_usage_pre_and_post_flood.pdf)
206 [9/4b1 Water usage pre and post flood.pdf](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4b1_Water_usage_pre_and_post_flood.pdf)

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208 [https://www.richmondvt.gov/fileadmin/files/Water Sewer Commission/Meetings/2023/0](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4b2_Water_Commission_Memo_re_Legal_Authority_-_Delinquencies_and_Billing.pdf)
209 [9/4b2 Water Commission Memo re Legal Authority -](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4b2_Water_Commission_Memo_re_Legal_Authority_-_Delinquencies_and_Billing.pdf)
210 [_Delinquencies and Billing.pdf](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4b2_Water_Commission_Memo_re_Legal_Authority_-_Delinquencies_and_Billing.pdf)

211

212 Arneson: We reached out to the attorney with a few more specific questions. It is correct
213 that it would have to go to the Board of Civil Authority for abatement of charges. They
214 would have to fill in their eight or nine different criteria. The argument could be made by
215 a user that they could not afford it. If the Commission wanted to have the power to give
216 an abatement, it wouldn't be a change in the charter. It could be legally challenged in this
217 situation of a flooding. If the Commission put a policy in place right now could that
218 retroactively apply, and he hasn't gotten back to me on that one.

219

220 Wolaver: At some point, we may want to consider a policy change.

221

222 Hill: I'll observe that the term of cannot afford the charges is really different than what
223 was presented. It was presented as a burden. To be fair, we have disconnected people in
224 the past who could not afford it. From an ethical standpoint, it's challenging to say
225 somebody spent another \$50-\$100 on water in this period of time, and that's a burden
226 among the other burdens. There are arguably other people who are even more impacted
227 by the high water/sewer costs, like an older person who can't afford the combination of
228 taxes, maintenance, and water/sewer.

229

230 Farr: Who decides if it is a burden versus a can't pay? Are you going to come look at my
231 bank account?

232

233 Furr: When the BCA has met in the past, if they say it's a burden, they have to be able to
234 prove that that's the case. Somebody's got to be able to demonstrate their inability to pay.
235 Saying you had a really unusually high usage of water due to this act of God event and
236 we don't think that you should have to bear that yourself is really forging new territory. I
237 think it's reasonable to consider changing our charter or we could just have an ordinance.
238 The lawyer says it's very unlikely somebody would challenge the ordinance. The charter
239 would be more legally defensible. Maybe the Selectboard should offer an ordinance that
240 gave the Water and Sewer certain powers to hear the appeal.

241

242 Hill: It could be a leak, it could be a fire, it could be more than one thing.

243

244 Cote: If you look at the data that we had, two had extremely high-water usage because of
245 breaks in their basement. We shut them off as soon as they got into their basement.
246 Sometime during the flood their pipes broke, and nobody knew about it until we got back
247 into their basement. How much different is that than a frozen pipe?
248

249 Wolaver: I like the idea of circling back around to maybe a two-person committee.
250

251 **Update on process to measure gallons of septage received from haulers**

252 [https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/0](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4c_Septage_Gallons_Recieved_2_.pdf)
253 [9/4c Septage Gallons Recieved 2 .pdf](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4c_Septage_Gallons_Recieved_2_.pdf)
254

255 Cote: With our two septage tanks cleaned out, we've been using sonic measuring. It's a
256 real pain as you have to physically be there, write down the things when the truck comes
257 in, and then write down what the total gallons was that they left. From the data, I'm
258 pretty confident that we're essentially billing for more septage than we're taking in.
259

260 Arneson: The data is about two weeks. A negative number means that we bill for less,
261 and a positive number means you've billed for more. At the end, we billed about 2600
262 gallons more than was actually received. Notice BPW, Steve's going to keep a better eye
263 on them because they seem to be under reporting. Everybody else kind of averages out.
264 It's not a meter, but at least it gives us some peace of mind.
265

266 Cote: I was pretty impressed that we were as close with the totals. The actual drivers
267 said they left 118,000 gallons and we billed for 120,500 gallons. That's totally without a
268 flow meter or anything. It was just getting the tanks empty and doing the due diligence
269 when the trucks were there writing down the number that they started with and writing
270 down the number when they left and then fitting it into a spreadsheet. I'm not saying that
271 when we do our upgrade that we don't want to include that. It would be much nicer for
272 billing. Some of the trucks do have meters and some do it by weight.
273

274 **Update on investigating storm water connections to wastewater system**
275

276 Arneson: At a follow up meeting with MSK engineers, we talked about trying to wrap up
277 some of these inspections that they were going to do where they had to go into a structure
278 to look at the wire service line. They try to not go into as many structures as possible by
279 reviewing our records and having people send them in photographs. They said that we've
280 got 330 structures connected to the system. They were able to determine the service line
281 material of 250 of these structures without entering the building. They only have 80
282 structures left to be visited. They're also drawing up a separate scope of work and
283 agreement to go into the other structures to figure out what they are doing for stormwater
284 connections. Given our staffing levels, it probably makes sense to work with these guys
285 to continue that project.
286

287 Cote: I wish that our staffing levels were better right now and that we could do this on
288 our own. The last time it was done, Trudy did it in 2007. There is an updated checklist
289 for inspections of people's homes. As I was going into homes, 90% of the homes either
290 had a stormwater hookup or they had a washer and dryer in the basement that was not
291 backflow prevented, which could result in a backup of sewage into their house. It's in the
292 ordinance that they're required to have one.

293

294 **Update on contracting for water meters**

295

296 Arneson: I do have marked up agreements from our attorney and sent them over to
297 Zenner. Our attorney has seen in the past where there's been issues with these types of
298 agreements so it's definitely taking longer.

299

300 Cote: We have a fair number of meters that are failed right now. We're going to go
301 through and install new meters and then we'll just have to switch the radio reads on to
302 those Sensus meters.

303

304 **Review of list of water and wastewater items to be repaired or replaced**

305 [https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/0](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4f_Water_and_Wastewater_Items_to_be_Repaired_or_Replaced_8-31-23.pdf)
306 [9/4f_Water_and_Wastewater_Items_to_be_Repaired_or_Replaced_8-31-23.pdf](https://www.richmondvt.gov/fileadmin/files/Water_Sewer_Commission/Meetings/2023/09/4f_Water_and_Wastewater_Items_to_be_Repaired_or_Replaced_8-31-23.pdf)

307

308 TABLED

309

310 **Update on staffing**

311

312 Arneson: We did have a candidate who was interested in the Assistant Superintendent
313 position after Steve was promoted to Superintendent. We made him an offer, he thought
314 about it long and hard. He was really concerned about work-life balance in Richmond.
315 We did leave the door wide open so if he changes his mind, he can give us a call. We will
316 be posting for Water Wastewater staff, anybody from entry level up to somebody who
317 would have qualifications for Assistant Superintendent

318

319 **Discuss Items for Next Agenda:**

320 *Review list or repair items

321 *Gateway

322 *Flood relief

323 *Abatements

324 *August water data

325 *Tank diver/inspection update

326

327 **Adjournment**

328

329 *Sander moved to adjourn. Hill seconded.*

330 *Roll Call Vote: Farr, Furr, Hill, Sander, Wolaver in favor. Motion approved.*

331

332 Meeting adjourned at: 6:59 pm

333

334 **Chat file from Zoom:** None

335