

**North Branch Fire District #1  
78 Dorr Fitch Road  
West Dover, VT. 05356**

**Phone: 802-464-7560 x 110**

**Fax: 802-464-3040**

**E-mail: [nbfd1@myfairpoint.net](mailto:nbfd1@myfairpoint.net)**

**THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE  
PRUDENTIAL COMMITTEE**

Minutes of the Regular Meeting of the North Branch Fire District #1, Prudential Committee, August 10, 2016.

This Meeting, having been duly warned, was called to order at 1:00 p.m. by Chairman, Hobart Terhune.

**Members Present:** Thomas Ferrazza, Hobie Terhune, Edward Barber, Cyndee Frere and Daniel Facilla.

**Also Present:** Edward Floyd, Ashley Grande, Laurie Newton, John Densmore, Mazhar Raslan, Raymond Reed, Robert Rubin, Bart Howes, Rebecca Snow and Linda Holland.

**Public Comment:** None.

**Letters:** Dated August 3, 2016 a Minor Act 250 Application, #W1338, authorizing the approval of a previous addition to an existing building and the change in use from the Matterhorn Inn to Mount Snow Academy, a November – March residential school. The project is located at 248 Route 100 in West Dover, Vermont. (Account RT094)

Dated July 12, 2016 a letter from Mary Jane Finnegan requesting a nonprofit status with the Fire District along with verification from the Internal Revenue Service that Twice Blessed, Inc. is exempt from Federal Income tax under section 501 (a) of the Internal Revenue Code as an organization described in section 501 (c)(3). Holland reminded the Committee that this has to go before the Voter's at the Annual Meeting. (Account RT019)

Dated July 25, 2016 a Certificate of Contract for Gallonage for Russell & Cynthia Murphy for a four bedroom house located at 268 Route 100. The contract is for 480 gallons per day and the house will be completed by November of 2016. (Account number RT098)

Dated August 3, 2016 a letter from Holland to Chris Fleishood stating the property of Jorge Rodriguez, account # MV006, was paid in full prior to the delinquent tax sale.

Dated August 10, 2016 comments from Robert Pelosi in regards to the Preliminary Engineering Report (draft) submitted by Technicon, P.C. in July 2016. Pelosi states the comments are minor but he would like a process flow diagram, an as-built drawing of the treatment facility and consistent references to the appropriate design criteria for the equipment/processes under review.

**Minutes:** Ferrazza moved to approve the Minutes of July 6, 2016 as written. Seconded by Barber. Passed unanimously.

**Edward Floyd/Technicon PC:** Floyd stated the changes to the Preliminary Engineering Report are minor and should not hold up any progress. Floyd feels that once the Prudential Committee has decided the needs of the treatment facility and the associated costs, it will be necessary to hold at least one public meeting to let the voters know why this upgrade is necessary for the facility. Barber had a question regarding the underground pipes breaking due to high wheel loading of the Bazin Construction trucks. Floyd stated the wheel loading should not affect the underground pipes because they are very deep.

Floyd also suggested that the Prudential Committee and Technicon PC should have a written contract, for any work, from this time forward. Floyd and the Committee also briefly discussed a need for a “Clerk of the Works”.

A special meeting is scheduled for August 31, 2016 at 1:00 p.m. to review the final preliminary engineering report and make a decision on which construction options we will pursue. An anticipated cost for the whole project at this time is approximately five million dollars. In part, this is to purchase the centrifuge and construct two new clarifiers, the RAS lines, spray fields, pond liners, landscaping and yard hydrants.

**Executive Session Personnel:** Ferrazza moved to go into executive session at 1:45 p.m. to discuss personnel. Seconded by Barber. Passed unanimously. The Committee came out of executive session at 3:15 p.m. NO DECISIONS.

**Mount Snow/Carinthia Base Lodge Contract:** Laurie Newton and Ashley Grande, representing Mount Snow, came before the Committee to discuss why Mount Snow cannot pay for the gallonage at this time and what does that do to the current contract. The Committee responded that the contract dated June 8, 2016 is void due to non-payment. However, Holland can prepare another contract and hold it for payment. Facilla reminded Grande and Newton that the last paragraph changes with the new contracts.

**Brady Sullivan/Snow Vidda Contract:** Ferrazza moved to execute the Brady Sullivan SV, LLC contract, for 6,000 gallons per day to construct 12 units on Oak Peg Road. Seconded by Facilla. Passed unanimously. This contract will have 2 buildings with 6 units each. Building 5B, units A-F and Building 6B, units A-F. There will be ten 4 bedroom units and two 5 bedroom units, building 5B unit F will have 5 bedrooms and

Building 6B unit A will have 5 bedrooms. This contract will expire on February 10, 2018.

**HI036 US Bank Trustee for Bank of America/Meter & Plumbing Issues:** Holland had received a call from the Bank asking if the \$500.00 per week fine could be waived because no one is living in the house and it has been foreclosed on. The bank tried to have a meter installed but a Vermont licensed plumber would not install the meter because the previous homeowner had done the original plumbing and it was not up to code. Ferrazza moved to waive the \$500.00 per week fine for not installing a new meter. Seconded by Frere. Passed unanimously. Holland also informed the Committee that the Bank had a prospective buyer and she would be in to inspect the house prior to closing.

**Treasurer's Report:** Ferrazza moved to approve an expenditure of \$162,209.53 to pay the monthly bills. Seconded by Terhune. Passed unanimously.

The Committee briefly reviewed the Profit and Loss and Budget to Actual figures. Snow pointed out that \$100,000.00 had been moved from Operations to Capital Raised by Users, leaving another \$50,000.00 to be transferred.

The last Operational check written is check #27507

The last Capital check written is check #1096

The last Petty Cash check written is check #856

Snow reported that the current prudent reserve is \$327,767.56.

**John Densmore, Mazhar Raslan and Ray Reed/Peaks Allocation Concern:**

Densmore asked the Committee where they currently stand at The Peaks. Facilla explained that once a contract expires the developer/builder must come before the Committee for a new contract and pay at the current rate. The contracts state that you must commence construction within twelve months from the date of the contract and complete construction of the project by the date specified in the contract. A contract is extendable for one additional eighteen (18) month period at the present contract rate. All subsequent extensions are for one year, and the rate shall be the difference between what was originally paid and the current hook-up rate. Raslan asked how to keep gallons perhaps for up to ten years? Facilla again explained that the only way to keep gallons is to keep an up-to-date contract. Rubin asked how this would affect a project with three permits such as the WW Permit, Act 250 Permit and Subdivision Permits. "This could cause problems for the Committee" stated Rubin. Facilla stated "we have thoroughly reviewed these contracts and the purpose is to keep the contracts current and the hookup rate current. Rubin "why are you doing away with the Priority List, it was originally put in place to give everyone a fair chance at the available gallonage. At this time the Committee is only reviewing the Priority List. Rubin stated that he was not in agreement with raising the fees on Priority List positions for the contracts paid in full. Rubin went on to say a four bedroom house in the North Branch Fire District will pay a hook-up fee of \$14,400.00 at the current rate. However, in the Cold Brook Fire District the fee for the same house would be \$6,500.00 and that includes water. Ferrazza stated that if you are

built out, you own the gallonage. Reed stated he came to North Branch and explained his construction project located at The Peaks 14 to Holland. He then purchased the gallons he needed for an additional den. Reed informed the Committee that Holland had visited the site on August 4<sup>th</sup> accompanied by David Cerchio, Zoning Administrator to advise him that the contract for this property had expired. Reed questioned the "Certificate of Gallonage" he had in hand dated May 4, 2016 for the additional den. Densmore asked where the reimbursement checks would go. Facilla replied "to the current owner." Densmore will send Holland a list of current owners for the vacant lots. The Committee confirmed that Reed should continue construction and complete the house at Peaks 14. The Committee will continue to carefully review the contracts and will take the above suggestions under consideration.

Barber left the meeting at 4:17 p.m.

**Chief Operator's Report:** Howes submitted the monthly report for the Committee to review.

**Collection System:** The jetter truck came and removed 6, 5 gallon pails of rocks and debris between manholes RT-94 and RT-92. The line could not be completely cleaned, with this equipment, do to accessibility. An off road jetting machine will need to be scheduled to clean the line. There was a large amount of stones and construction debris (nails and screws) with everything showing signs of being in the collection system for some time.

**Meters:** Howes has compiled a list of 176 accounts with radio frequency heads that will be replaced with the cellular heads this year. Holland has set up a mail merge document and will attach the confined space waiver as well as the eye-on-water information for the consumer. Howes suggests setting a deadline of perhaps 30 days for the return of a signed waiver in order to have the Fire District personnel change the heads. After this deadline, the homeowner will be responsible for hiring a plumber to do any needed work whether it is replacing the head or moving the meter before the January 1, 2018 deadline.

**Efficiency Vermont:** Part of the PER was to meet with Efficiency Vermont. One notable savings would be the ability to use more off peak electricity. This would entail spraying and transferring our pond water at night. Another bonus to this is the ability to discharge the maximum amount of gallons for approximately six months a year. A cost to benefit ratio will be prepared during the final design.

**Concrete Repairs/Rotor Pads:** In the spring of 2015 it was found that some additional repairs were needed to the previously repaired concrete. Over the past two years Ed Floyd has unsuccessfully tried to get the original contractor to come repair it. It has been repaired once without success, it is recommended to have a structural engineer inspect it and make recommendations on the proper materials to be used. Once this is done we can hire another contractor to do the work as the original contractor is non-responsive.

**Negus Pump Station:** Vermont Sewer and Drain rebuilt the pump mounts and piping in the pump station. Eliminating the old undersized pipes has reduced the daily pump times to less than half. An RFP has been created to do the same at Ellis Pump Station next year.

**Select the Engineering Firm for the Proposed Upgrade:** Tabled until September 14, 2016.

**Consider Certified Public Accountant for 2016 Audit:** Holland will contact Love, Cody CPA to get a proposal to perform the 2016 audit and have it done in time for the Annual Meeting. Proposal should be ready for the September 14<sup>th</sup>. meeting.

**Executive Session:** Ferrazza moved to go into Executive Session at 4:45 p.m. to discuss legal matters. Seconded by Facilla. Passed unanimously. Frere moved to come out of Executive Session at 4:57 p.m. Seconded by Ferrazza. Passed unanimously.  
**DECISION:** To prepare a list of questions/issues regarding the ordinance and contracts to VLCT for their review.

**Old Business:** Holland will e-mail the draft letter regarding the installation of cellular heads to the Committee for review.

**Other Business:** Next sub-committee meeting is Thursday – August 18, 2016 at 1:00 p.m.

Terhune moved to adjourn at 5:03 p.m.

Respectfully Submitted:

Linda L. Holland,  
Administrative Manager

**cc:** H. Terhune, D. Facilla, E. Barber, E. Floyd, T. Ferrazza, Cyndee Frere, Bart Howes, Ed Floyd, Joe Mahon, Amiee Pritcher, Arlene Palmiter, Donald Albano, Linda Anelli, Adam Levine, Jeannie Flanagan, Leslie Fraser, Ashleigh Perkins, Laurie Newton, Robert Rubin, Ray Reed, John Densmore, Cliff Turpin, Rolf Parker-Houghton, G. Golet, Deerfield Valley News and the Brattleboro Reformer.

**Posted:** North Branch Fire District #1, Wastewater Treatment Facility & Administrations Building. Dover Town Office.