

RUTLAND TOWN SELECT BOARD
WATER AND SEWER COMMITTEE MEETING

WEDNESDAY APRIL 7th, 2021

The Water and Sewer Committee of the Rutland Town Select Board met at 9:00 AM on Wednesday April 7th at the Rutland Town Municipal Town Hall. Present was Board Chair Mary Ashcroft, Board Clerk Joe Denardo, Board Member Don Chioffi, Town Road Commissioner Byron Hathaway, Town Lister Howard Burgess and Administrative Assistant Bill Sweet. There was a conference call line with a publicly accessible and warned phone number in use.

- 1) The committee discussed the status of the sewer inventory project.
 - a) Road Commissioner Mr. Hathaway said it is complete except for locating one manhole, which is in Flory Heights. He expects to have that done in the next few weeks, using existing plans to narrow its location.
 - b) There is a manhole on Cold River Road which is buried. It should have a riser installed to make access possible when needed. The next closest manholes on either side are approximately 400' away. This will be added to the project list.
 - c) There is a manhole on the end of Randbury Road which ground water is leaking into. Mr. Hathaway has already received the necessary permission to do the maintenance work. This will be done in July or August.
 - d) The complete inventory was done on the Fulcrom application and is on the Highway Department tablet.
 - e) Discussed a manhole location off the end of Seward Road. It had holes drilled in the cover but is not taking on ground water. The cover will be replaced with a new one stamped Sewer.
 - f) The manhole under the railroad tracks near Quality Lane was surveyed using a remote camera run up the line from a nearby manhole. It has not shown signs of collapse yet. It was noted that the railroad does not use the section of track on top of this manhole, they have a derailing device in place.
- 2) Rutland City / Rutland Town Water and Sewer contract
 - a) There are no actions and no recommendations to be taken at this time.
- 3) Missing sewer discharge allocation for the East Asian Cuisine Restaurant.

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- a) Ms. Ashcroft said she has the large response received from the attorney for the property owners. She has not reviewed it fully but will work on it soon.
- 4) Grant opportunity to extend the water line from Randbury Road to Farrell Road
 - a) This was brought up by Robert Clark from Otter Creek Engineering last year. Mr. Sweet will follow up with him to see what options may still be available.
- 5) Review of applicable policies and ordinances.
 - a) There are 2 ordinances for the committee to review. They are Water Regulations and Use of City Sewage Disposal System
 - b) Discussed if there was a need to continue to have a water ordinance. It is believed this was necessary in order to be able to collect O&M fees from water users.
 - c) Discussed if there should be hook up fees for new users.
 - d) Discussed the process for recovering unused or underused sewer discharge allocations.
 - e) No decision was made, these will be discussed with our town counsel.
- 6) Rutland City Water and Sewer billing
 - a) Reviewed the current past due list received from the City last week. There is approximately \$56,000 in past due balances.
 - b) There are 2 accounts which have the largest balances due. They are the Diamond Run Mall and the Ground Round. They represent approximately \$41,000 of the total balance due.
 - c) The City has inquired about the town covering these past due balances. The past due amount has grown since the city took over billing starting with Fathom Water Management. They have since changed billing methods 2 times. There are multiple critical accounting issues which have been brought to the attention of the City Treasurers office which remain to be answered. They include how the town would be reimbursed if we paid the balance and then the owner paid the city, how the balance would be reflected on the statement if the town paid off the balance. The property owner would then be in debt to the town but would get an invoice from the city showing a zero-balance due. If the City is charging late fees and interest to town users, which the balance includes O&M fees, are we being paid late fees on the O&M fees due. If not, the town should be paid in full for all O&M fees due at the end of the billing cycle.
 - d) Discussed options to resolve the billing issues including the possibility of turning over the town system to the City for them to be solely responsible for. It is not known if they would be in favor of that.

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- e) The committee agreed it would be appropriate for the Towns Inter-Municipal Committee to meet with leadership from the City of Rutland to discuss options and solutions for the future.
 - f) Our Town Counsel will be contacted to discuss appropriate next steps.
- 7) Sewer users exceeding the discharge allocation for 2020.
- a) Discussed the Graphic Edge, which does not show an allocation. There is an allocation on the list which is not assigned to a property, in discussions with them last year it was possible this may belong to them. Building owners were going to do some research and follow up with Mr. Sweet. They never did. There is still no allocation officially assigned to this property. They are pumping water from a below grade loading dock into our sanitary sewer system. They had stated, in previous discussion that their Act 250 permit said they could discharge storm water into the town storm water systems, but we do not have one. The letter being sent to them requesting information on their allocation search will be updated to include language about stopping this practice or applying for an allocation to include it.
 - b) It was decided that users who exceeded their allocation for 2020 by 50 gallons per day or less will not be sent a letter for this year. This included Arnold Clark, U-Haul and Tractor Supply.
 - c) All other letters to users exceeding their allocation will be sent out.
- 8) Ground Round / Denny's Restaurant Maintenance agreement
- a) The sewer line running from the Ground Round has not experienced any issues since the restaurant has been closed. An agreement is in place for maintenance, as is in effect as long as they are the sole user, which they are.
 - b) Dye testing should be done before they reopen to ensure all plumbing has been corrected and discharges are run through the grease trap before exiting the building.
 - c) Mr. Hathaway has sent 2 emails to the owners of the restaurant informing them of the required maintenance. No reply has been received.
 - d) Discussed sending a letter to them with the requirements. This will be drafted for review at the next Select Board meeting.
- 9) Flory Heights past due bills.
- a) There are 2 accounts which have long standing past due balances.
 - b) The committee discussed putting a lien in the land records. This will be discussed with our town counsel.

The meeting adjourned at 10:59 AM

Respectfully submitted, Bill Sweet