

**North Branch Fire District #1
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West Dover, VT. 05356**

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Minutes of the Regular Meeting of the North Branch Fire District #1, Prudential Committee, May 11, 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 and Daniel Facilla.

Absent: Cyndee Frere.

Also Present: John & Joseph Angeleri, Bart Howes, Rebecca Snow and Linda Holland.

Public Comment: None.

Letters: Dated April 26, 2016 a Notice of Modification of Chapter 13 Plan Prior to Confirmation. The debtor filed a Modified Plan on April 25, 2016 and a confirmation hearing on the Modified Plan is scheduled for May 25, 2016. This is in regards to the back sewer taxes assessed on 30 Sunne Village Lane, account number SU019 owned by Richard and Jennifer Zalinski. Attorney Robert Fisher has reviewed the materials and stated the Fire District will receive all their funds.

Dated May 4, 2016 a letter from the Robert A. Stewart family appealing an inspection report dated May 4, 2016 regarding their condominium at 5A Blue Spruce in Timber Creek. The letter states that their former hot tub room in the basement of their unit is being considered a bedroom and they were assessed \$1,800.00. A copy of the inspection report states the space is a game room, assessed the same as a den or loft area, not a bedroom. Ferrazza moved to keep the \$1,800.00 charge in force as stated in the inspection report. Seconded by Terhune. Passed unanimously.

Dated May 3, 2016 an e-mail from Devendra Jhamb owner of Mount Snow Village Condominium number 214. The Jhamb's have stated that they have always had a convertible sofa in the unit, since the time it was bought from the builder. Subsequently regulations have changed and sleeper sofas are assessed as a two person sleeping space according to the Sewer Ordinance. The Jhamb's are asking the Committee to kindly waive this fine or if that is not possible to reduce to a more reasonable amount. Ferrazza moved to keep the fee of \$3,600.00 in force because owners were notified by letters when the Ordinance changed. Seconded by Facilla. Passed unanimously.

Dated May 9, 2016 an e-mail from Edwin and Royal Wilson stating they will be on vacation and it would be a hardship for them to meet the deadline of May 27, 2016 to have their commercial meter installed. The Wilson's are requesting an extension until June 15, 2016. The Committee will allow the Wilson's an extension until June 15, 2016. However, if the meter is not installed by June 15, 2016 the fine of \$500.00 per week will be retroactive to the original date of May 27, 2016.

Dated May 6, 2016 a letter from James Makarius requesting a deferral for the new meter until he has a buyer for the property. Mr. Makarius states that he has not been to the house in six months and is finding it hard to financially keep up the utilities and taxes. The Committee unanimously agrees that the meter must be installed by June 6, 2016 and explain to Mr. Makarius that we can finance the meter for one year, at 3% interest, with a payment due every three months, at a minimum.

Dated April 21, 2016 a letter from Attorney Robin Stern, representing the Kingswood Common Homeowners Association. The letter explains that the Association has been in communication with the current developer regarding the remaining development lands at Kingswood. Part of the value of the remaining lands and potential development includes the reserved gallonage. Therefore, the Association is requesting that the gallons not be released or the deposit returned at this time.

Dated April 22, 2016 a letter from Holland to Attorney Robert Fisher regarding the Kingswood Common Association's request to have the gallons and funds contracted to Kingswood of Vermont, Inc. held. The letter asks Attorney Fisher if the Kingswood Common Association has the authority to claim the funds deposited by Kingswood of Vermont Inc.

Dated April 27, 2016 Certified letters of violation were mailed to thirty-five (35) commercial property owners stating they must have their meters installed by May 27, 2016 to avoid a \$500.00 per week fine. Cost of mailing, \$226.45.

Dated May 5, 2016 Certified letters of violation were mailed to fifty-one (51) property owners that have received an estimated bill due to "stuck" meters. These owners have until June 6, 2016 to repair their meters or they will be assessed a \$500.00 per week fine. Cost of mailing \$329.97.

John & Joseph Angeleri/Contract Payment: The Angeleri's are asking the Committee if they could pay the \$21,600.00 at the end of their 18 month contract. Terhune stated he was not opposed to the 18 month grace period. The rest of the Committee was not willing to make such a drastic change in policy. After several minutes of discussion, Ferrazza, at 1:15 p.m., moved to go into Deliberative Session. Seconded by Facilla. Passed unanimously. Ferrazza moved to come out of Deliberative Session at 1:40 p.m. Seconded by Terhune. Passed unanimously. The Committee decided that a check in the amount of \$21,600.00 must be received, in this office, by May 20, 2016 or the Fire District will send back all funds currently being held and the gallonage will return to the plant capacity.

Minutes: Revise the April 20, 2016 Minutes on page 4, first paragraph, last sentence.

Strike: “The Committee decided that they would need a letter signed by 100% of the shareholders in order to release the funds totaling \$52,920.00. **Replace with:** The Committee decided that they would need a letter signed by one of the authorized representatives, either Robert Rubin or Dennis Glennon, to release the funds. Ferrazza moved to approve the Minutes of April 20, 2016 as amended. Seconded by Facilla. Passed unanimously.

Treasurer’s Report: Ferrazza moved to approve the monthly bills totaling \$63,048.84. Seconded by Barber. Passed unanimously.

The last Operational check written is check #27371
The last Capital check written is check #1074
The last Petty Cash check written is check #854

Snow reported that the current prudent reserve is \$444,820.78. After careful review the Committee corrected the prudent reserve to reflect the figure of \$393,820.78.

Chief Operator’s Report: Howes reported that the centrifuge pilot study showed positive results. Running the unit at 14 gpd achieved a 20% solids cake. Running double that rate created an 18% solids cake.

Howes has been receiving complaints from homeowners that currently have 1¼” and 1½” meters. They have expressed that they should not have to pay for the difference in funds of a 2” compound meter. The 1¼” and 1½ meters are highly inaccurate at flow rates less than 2.5 gpm and they will not read at all at a flow rate of 1.25 gpm or less.

Howes has checked the new meter program on a weekly basis. The program has indicated potential leaks on multiple occasions. Holland was able to get ahold of someone each time but it has been difficult as we don’t have phone numbers for most customers. Howes has recommended that Holland get a list of the Vermont certified water operators.

Howes is also concerned about informing people of potential leaks. If they hire someone to investigate a leak that cannot be found, there is a potential for the owners to hold the Fire District responsible for payment. The Committee will consider a course of action in the future.

Collection Systems: Municipalities no longer have jurisdiction over private collection systems and pump stations. This means our Ordinance which was created in 2008 mandating them to be inspected is not valid. The State is in the review process, so hopefully this can be corrected. Holland will e-mail the Committee and Howes contact information for Representative Laura Sibilio, so she can keep an eye on this matter for us.

Discuss Ordinance and Contract Revisions: Holland suggested taking one piece at a time and not try to do the contract and ordinance at the same time. After a brief

discussion it was decided to set-up a small group to review the ordinance and contracts. Facilla, Ferrazza, Howes and Holland will meet on Tuesday, May 24th. at 1:00 p.m. to review past contracts. (NOTE: Date has changed to Wednesday, May 25th. at 1:00 p.m.)

Old Business: None.

Other Business: None.

Terhune moved to adjourn at 3:58 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, John & Joseph Angeleri, Deerfield Valley News and the Brattleboro Reformer.

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