

**North Branch Fire District #1
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**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, May 25, 2017.

This Meeting, having been duly warned, was called to order at 12:03 p.m. by Chairperson, Cyndee Frere.

Members Present: Cyndee Frere, Thomas Ferrazza, Edward Barber, Karl Braunbach and Brendan Ryan.

Also Present: Robert Rubin, Steven Montello, John Redd, Rebecca Snow, Bart Howes and Linda Holland.

Public Comment: None.

Robert Rubin/Priority Reimbursements: Rubin stated he received a letter dated April 24, 2017 regarding the Kingswood of Vermont contract. Rubin agrees with the 14 units listed as not being built out. Those units being Kingswood Road units 63A and 63B. Foliage Lane units 10A, 10B, 12A and 12B. Also Somerset Lane units 2A, 2B, 3A, 3B, 4A, 4B, 5A and 5B. Each unit was allotted 4.5 bedrooms each. Rubin stated that if he understands the letter, “the Committee wants him to pay \$173,880.00 for what I already think I have. We are not prepared to do that. So that is not going to happen.” “We are not here asking for the check.” The letter states that if you are not going to contract that \$52,920.00 will be returned to you. “We are perfectly happy to leave the check right where it is, that’s up to you folks.” Ferrazza states “you realize that we are not trying to force you back into a contract, for what you believe you already have.” Rubin “we are perfectly happy with the \$52,920.00 sitting where it is, I don’t know if you all are happy with that.” Rubin asked the Committee if there was a reasonable amount of time, 30 or 60 days. Ferrazza pointed out that the letter dated the 24th of April gave each developer 30 days. “Rubin “if we are forced to take the check, we will take it under protest to reserve the right to litigate this decision if in fact we decide to build these units in Kingswood. Ferrazza asked Rubin if he was waiting for a decision. Rubin responded that he thought today was the day. Ferrazza said “today is the day but we have not written any checks out yet, but that is the intent, and if it is under protest, I can appreciate that.” Again, Rubin asked if this matter could wait another 30 to 60 days. Ferrazza responded “well let me ask you a question, whether you build or not, my understanding is

that your contract is not in effect, is that correct?" Rubin "I think that is your opinion, and is not necessarily our opinion. We feel that the contract has been paid in full and is in effect, we can argue that at another time." Montello stated "we (Kingswood Commons Homeowners Association) are in the process of filing a settlement with Kingswood of Vermont and we believe that within the next 30 days we are probably going to be settled. That is our hope. It would probably put us in a better decision to know whether we are going to build with Kingswood of Vermont, the balance of the units or if Kingswood Commons Homeowners Association will build. So again, we ask for an additional 30 days." Ferrazza "here is the question, if you are negotiating with Bob Rubin I assume that he would keep it (the check) in escrow somewhere, so the money is not lost." Montello stated that "he believes the money is an asset because he believes the contract is in full force and effect." Rubin stated "that right now the contract is not with Kingswood Commons, the contract is with North Branch Fire District and Kingswood of Vermont." (Motion to reimburse Kingswood of Vermont is in the letters).

Steven Montello/Kingswood Meters: Montello asked the Committee to read the individual meters in Kingswood in the fall and send all the bills to him. The spring of 2018 billing will be based on the master meter recently installed. The Committee agreed with this billing arrangement.

Letters: Dated April 24, 2017 a letter to Victoria Eckrich/The Snowstack Company, asking if she wishes to stay on the Priority List, or request her deposit in the amount of \$4,445.00 be returned.

Dated May 24, 2017 a response from Victoria Eckrich/The Snowstack Company (PL63) requesting the return of her deposit of \$4,445.00. Ferrazza moved to reimburse Ms. Eckrich the full deposit for PL63 in the amount of \$4,445.00. Seconded by Barber. Passed unanimously.

Dated April 24, 2017 a letter to 98 Acres Woodsman Road, LLC. (PL77) to see if they would like to go to contract for the gallonage on the Priority List or request the 10% deposit back in the amount of \$5,760.00.

Dated May 15, 2017 a letter from Christopher Dugan, Esq. representing 98 Acres Woodsman Road, LLC, stating that his client is requesting reimbursement of the project deposit in the amount of \$5,760.00. Ferrazza moved to reimburse 98 Acres Woodsman Road, LLC in the amount of \$5,760.00. Seconded by Barber. Passed unanimously.

Ferrazza moved to reimburse Kingswood of Vermont \$52,940.00 (PL70) as discussed above. Seconded by Braunbach. Passed unanimously.

Dated April 24, 2017 a letter to Thomas Zipp (PL76) asking if he would like to go to contract or have his deposit of \$10,710.00 returned to him. **No Response.**

Dated April 24, 2017 a letter to Mr. Raymond Ross (PL52) asking if he would like his deposit in the amount of \$15,399.00 returned or if he is going to contract. **No Response.**

Dated April 24, 2017 a letter to Robert Rubin and Denis Glennon (PL57) asking if they want to go to contract or have the deposit of \$60,480.00 returned to them. **No Response.**

Recorded in the Dover Town Clerk's Office on May 9, 2017 a Tax Collector's Deed for the North Branch Fire District #1 for property purchased at tax sale.

Dated May 5, 2017 a letter from Jeannette Eckert on behalf of the Dover Select Board inviting the Prudential Committee to attend the May 16th. Select board meeting. The Select Board would like to open a discussion regarding the reasoning behind North Branch's recent decision to issue sewer bills to municipal buildings.

Dated May 4, 2017 a letter from Holland to Richard Meduski reminding him that his agreement with the North Branch Fire District #1 will expire on June 30, 2017.

Ferrazza moved to sign the SRF Loan paperwork. This paperwork is for the waste water project final design, of the proposed upgrade. Seconded by Ryan. Passed unanimously.

Minutes: Barber moved to approve the Minutes of April 5, 2017 as submitted. Seconded by Ferrazza. Passed unanimously.

John Redd/Sundance Village Contract Renewal: Redd explained to the Committee that he had received notice from Holland that his contract expires on June 30, 2017. Redd explained the 14 lots are being marketed with half of the sewer paid for. Redd told the Committee that it took nine years to sell the lots on Discovery Drive and it may take ten or more years to sell these lots. Redd stated that it seems silly to keep renewing a contract every few years. Ferrazza stated that the Committee is following the Ordinance. The Ordinance defines structures as sewer lines, manholes etc. Holland will check with the attorney. Redd will check with the Abbey Group. Tabled until June 15, 2017.

Review the Current Hook-up Fee Rates: Ryan put together a Power Point presentation regarding a conceptual summary of the revenue concepts. The preliminary draft addressed the plant operations, plant limitations, historical flow and rate data as well as options to consider for usage and hook-up fees. Ferrazza has concerns about the hook-up fees. Hook-up fees are necessary but you never know who or when anyone will connect to the system. Ryan agrees that there must be hook-up fees. Frere pointed out that perhaps Williston is not a good comparison, perhaps a resort area such as Ludlow, Stratton or Okemo would work better. The Committee commended Ryan for his work. This will be tabled until the June 15th. meeting.

Treasurer's Report: Ferrazza moved to spend \$126,899.55 to pay the monthly bills. Seconded by Ryan. Passed unanimously.

The last Operational check written is check #27973

The last Capital check written is check #1147

The last Petty Cash check written is check #868

Snow reported that the current prudent reserve is \$427,034.89.

Snow provided the Committee with a Profit & Loss sheet from January 1 through May 25, 2017.

Chief Operator's Report: Howes submitted the daily status report of the plant for the month of April.

Howes also prepared a summarization of how the proposed bond would affect homeowners based on sewer usages. The estimates were generated using the 2016 billing cycles.

On May 15th, Howes received a call from Wayne Estey the Dover Health Officer, stating that there was a sewage pump station leaking on Woodsman Road. This is a private pump station, so Howes assisted Mr. Estey in finding the owner, Tom Rayl, so he could get the pump station back in operation. Howes also gave Mr. Estey a copy of our contacts list for private pump stations and collection systems. Howes was notified on May 16th. that the problem was a blown fuse and it had been corrected.

Howes also reported that one of the belts to our sludge press was damaged the last time it was used. A replacement has been ordered at a cost of \$719.00.

Discuss Bond Vote & How to Move Forward: Tabled until June 15, 2017.

Old Business: None.

Other Business: Holland has been asked by the Timber Creek management to consider reducing the bill for a Timber Creek unit that already had a cellular meter. The plumber picked up a new cellular meter to replace the existing cellular meter. The Committee unanimously agrees that whomever ordered the plumber to install the meter is responsible for the bill.

The next meeting will be held June 15, 2017 at 12:00 noon.

Board of Abatement will meet on June 1, 2017 at 7:00 p.m.

Frere adjourned the meeting at 2:07 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, S. Mac Dougall, L. Harkawik, R. William, Deerfield Valley News and the Brattleboro Reformer.

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