

**Edward Farrar Utility District
Commissioners Meeting
Tuesday, January 21, 2025
Steele Community Room, 28 North Main Street, Waterbury, VT**

Attendance: P.H. "Skip" Flanders, Natalie Sherman, Bob Finucane, Cindy Parks
Staff: Tom Leitz, Bill Woodruff, Kia Winchell Nealy
Zoom: Kenneth Ryan

The special meeting of the Edward Farrar Utility District was called to order at 1:07pm

AGENDA

Town Manager Leitz requested a discussion on Ethics Law to be added to the agenda.
Board Chair Flanders requested a change in the order of the agenda: Minutes, UVM Student Project, Ethics Law, Union.

Natalie Sherman made the motion to add the discussion of the Ethics Law and to adjust the agenda as proposed.
Bob Finucane seconded the motion.
A vote was taken and passed unanimously.

MINUTES OF THE MEETING FROM JANUARY 9, 2025

B. Finucane made the motion to approve the Minutes of the Meeting from January 9, 2025.
C. Parks seconded the motion.
A vote was taken and passed unanimously.

UVM STUDENT PROJECT AND THE EFUD WATERSHED

C. Parks informed the EFUD board that the Unpermitted Trails in The Watershed Project has been presented to UVM students and Professor Laura Edling. (This project is on environmental and natural resource management). In addition to EFUD's project, there are two other projects under consideration (by other entities); Vermont Coverts – a project concerning the increasing encounters with bears ... and the Lake Champlain Sea Grant – a project which addresses residential storm water control.

As of today, we have not heard which project has been chosen. C. Parks' concern; If EFUD's project is accepted, classes are held on Fridays and Parks will not always be available. She has asked if the Town's Public Works Director B. Woodruff and/or EFUD employee Kenny Ryan would be available as contacts and to provide help if requested.

ETHICS LAW

There is a new multi-faceted Ethics law that is now in place in Vermont ... which needs to be reviewed and discussed at the next regularly scheduled EFUD meeting. With that said, there is one immediate action that needs to be taken by January 31, 2025; The Edward Farrar Utility District needs to name an Ethics Officer. The Officer needs to be a member of the governing body or officer of EFUD, or a municipal employee. The Waterbury Selectboard has chosen Town Manager Leitz with the Selectboard serving as the alternate.

B. Finucane made the motion to appoint the Town Manager as Ethics Officer for EFUD and "Skip" Flanders as the alternate.
N. Sherman seconded the motion.
A vote was taken and passed unanimously.

PETITION TO FORM A UNION

At 1:32pm, N. Sherman made the motion that a specific finding that premature general public knowledge would clearly place the public body involved at a substantial disadvantage.

C. Parks seconded the motion.

A vote was taken and passed unanimously.

N. Sherman then made the motion to enter into executive session for the purposes of discussion a labor relations agreement with employees.

B. Finucane seconded the motion.

A vote was taken and passed unanimously.

Executive Session ended at 2:08pm with no action taken.

B. Finucane made the motion to adjourn this afternoon's Edward Farrar Utility District's meeting at 2:10pm.

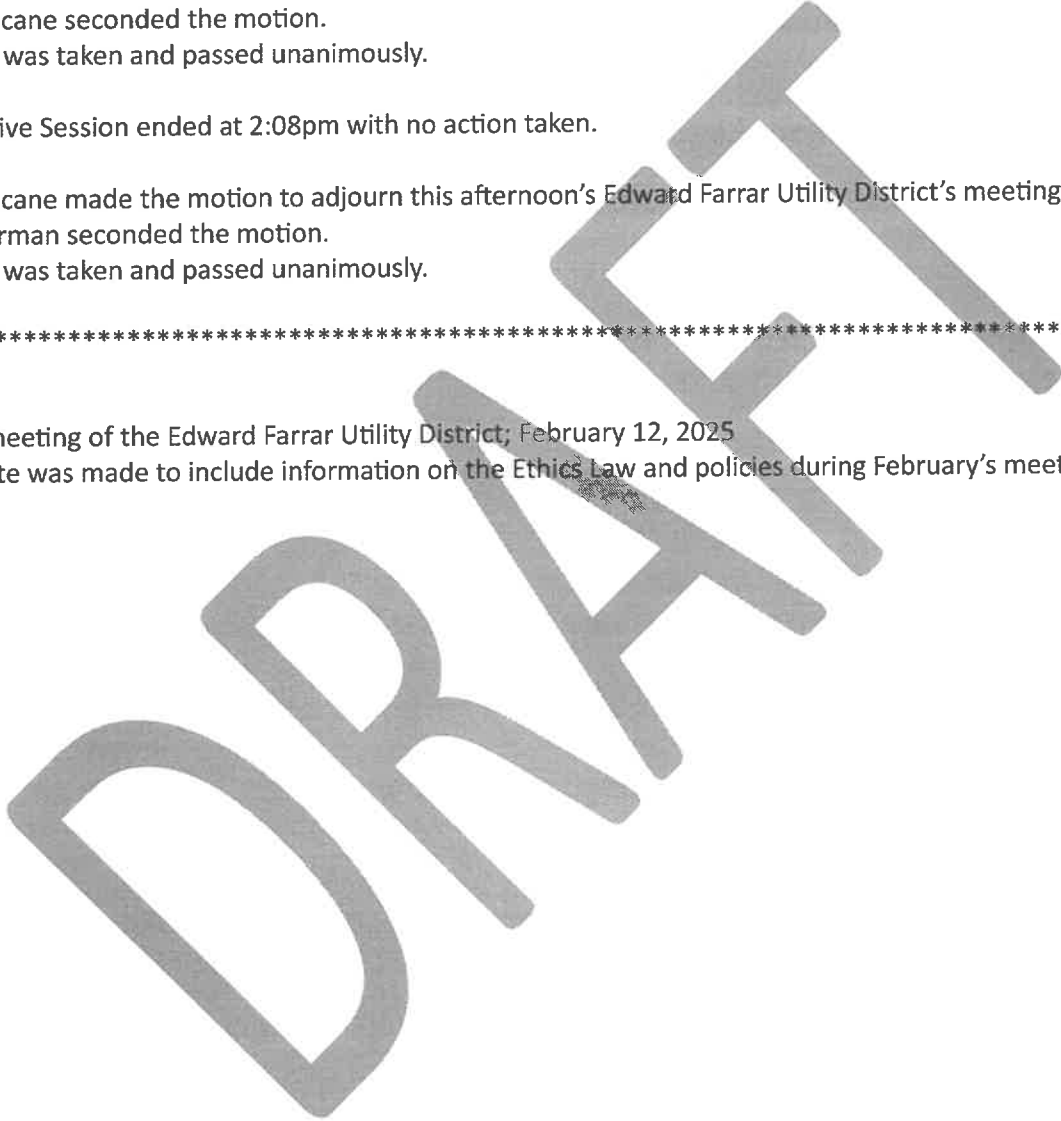
N. Sherman seconded the motion.

A vote was taken and passed unanimously.

Next meeting of the Edward Farrar Utility District; February 12, 2025

* A note was made to include information on the Ethics Law and policies during February's meeting.

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Edward Farrar Utility District Commissioners Meeting

Tuesday, January 21, 2025

1:00pm Zoom Meeting

<https://www.zoom.us/join>

Meeting ID: 875 7036 7496

Passcode: 103485

Dial by your location

• +1 646 931 3860 US

• +1 929 205 6099 US (New York)

AGENDA

- 1:00 pm Call to Order/Approve Agenda
- 1:00 pm Public
- 1:05 pm Consider Minutes of Jan 8, 2025
UVM STUDENT PROJECT
- 1:10 pm ~~Retition to form a Union.~~
ETHICS LAW
- 1:35 pm ~~Discussion on possible UVM student project on Watershed.~~
PETITION FOR UNION
- 2:00 pm Adjourn

Edward Farrar Utility District
Commissioners Meeting
Wednesday, January 9, 2025
Steele Community Room, 28 North Main St, Waterbury VT

Attendance: P.H. "Skip" Flanders, Bob Finucane, Rick Weston, Natalie Sherman, Cindy Parks
Staff: Tom Leitz, Bill Woodruff
Zoom: Kenny Ryan
Public: David Rugh, Stitzel Page & Fletcher

"If any individual or organization requests a recording of this meeting, please contact the District Manager at (802) 244-4300 or via email at tleitz@waterburyvt.com."

AGENDA

This evening's agenda amended to include an executive session at the end of the agenda. Also, to include an update on the UDAG loan fund during the department reports.

A motion to approve the amended agenda was made by R. Weston ... seconded by N. Sherman. The motion passed unanimously.

MINUTES OF THE MEETING(S) from November 12 and December 11, 2024

A motion to approve the minutes of the November 12 and December 11, 2024 meetings as presented was made by R. Weston ... seconded by N. Sherman. The motion passed unanimously.

TRANSFER OF LOT 51 SOUTH MAIN STREET

David Rugh of Stitzel, Page and Fletcher introduced himself and identified himself as the District's attorney who is handling the sale and closing of 51 South Main Street. Attorney Rugh described the closing process and noted the closing was scheduled for tomorrow (1/9/2025). Attorney Rugh needed to confirm the minutes of November 12th were approved because at that meeting the Municipal Manager was authorized to sign the closing documents. It was noted the Pagan encroachment was not resolved, but Downstreet was comfortable proceeding with the closing. Mr. Leitz noted some basic site work would occur over the winter, and a celebratory event was scheduled for February.

BEN & JERRY'S WASTEWATER COMPLIANCE ISSUES

Mr. Woodruff noted that Ben and Jerry's has been advertising for a new wastewater operator, but there is no new news from the prior update.

PROPOSED 2025 WATER & WASTE-WATER BUDGETS*

Mr. Leitz discussed the proposed water and wastewater budgets for 2025 with the Board. He did not request the budgets be adopted at this meeting because there was not a pressing need to raise rates.

*** Water Budget**

For the water department budget Mr. Leitz recommended a 2% rate adjustment, but not to occur with the August billing. He also noted that Water Operations Revenue is where allocation fees are booked, and while 2024 revenues were high, he recommended budgeting a lower figure for 2025. That is because we don't have any large, pending projects, and several large developments paid their fees in 2024. Downstreet Housing paid the allocation fee for 51 South Main Street in November of 2024. Mr. Leitz also noted the revenue from the sale of 51 South Main Street was proposed to be split 50/50 between the water and sewer departments. Commissioner Weston questions if other methodologies had been considered, and a discussion was held regarding that. Mr. Leitz suggested keeping the matter simple and keeping the original allocation.

Mr. Leitz also discussed the payment structures wherein funds are transferred between the Town and EFUD, and between the water and sewer departments. These are based on staff time spent working for the various departments.

Mr. Leitz discussed that pay for the water department is increased because a new hire is now full time and his pay is 100% budgeted in the water department, but the sewer department pays for a portion of his time.

Mr. Leitz discussed the large increase in professional service costs, and that was related to concerns about engineering expenses related to the Route 100 waterline project. The concern was noted that some expenses might be required, but not eligible for grant reimbursement. A discussion was held regarding the strategy for completing the project, and if the District could finish by the end of 2026. Mr. Woodruff and Mr. Leitz suggested this timeline was reasonable.

Mr. Leitz noted that legal fees are level funded, and much of our 2024 expenses were driven by the sale of 51 South Main Street.

Mr. Leitz noted that electricity costs are budgeted based on the 2024 actual, which was a large increase from prior years.

Mr. Leitz discussed the need to replace the roof at the main water plant, and the budget proposed to use reserve funds for that work. This was planned for 2024, but ultimately the work was not begun.

Mr. Leitz reviewed the department request to purchase an excavator, with an estimate cost of \$92,500. This expense would be split 50/50 between the water and sewer departments, and the water department would issue internal debt for its portion of the cost. Mr. Leitz proposed borrowing over five years from our reserve funds.

*** Wastewater Budget**

Mr. Leitz noted that wastewater revenues are projected to be consistent with both 2023 and 2024 ... and again noted the sale of real property was split between the water and sewer departments.

On the expense side, Mr. Leitz noted that payroll expenses were decreased because of changes in staff allocations, but wastewater is making a larger payment to the water department in 2025. It was noted part of this was due to the work by Alec Tuscany in trying to improve our sludge management.

As with the water department Mr. Leitz noted the increase in electricity costs.

Mr. Leitz noted the large appropriation for sewer main repairs/replacements. This was to correct the ground water infiltration occurring in the main line that goes underneath Main Street near the railroad bridge and roundabout.

The mini excavator was discussed and Mr. Leitz proposed that, because the sewer budget did not require a rate increase, the departments share of the cost could be paid with cash. Finally, Mr. Leitz noted the budget contained a net overall savings, and that would improve our cash position and fund balance.

Mr. Flanders asked about our debt schedule, and it was agreed this would be an agenda item at the next meeting.

WORDING FOR WATERSHED SIGNAGE

Mr. Leitz proposed language for signage. Commissioner Parks also showed examples from Barre and Montpelier. A board discussion was held at length. Commissioners noted the language proposed by staff was explanatory, but did not cite statutes and note penalties for infractions. The Commissioners suggested this item be added to the next agenda, and staff bring forth a two sign solution. One would contain explanatory language, and another would cite statutes similar to the Montpelier example.

SECTION 105 HRA HEALTH PLAN

Mr. Leitz explained this document was a necessary legal document to ensure that District employees were not subject to taxes on health savings account contributions, or employer contributions towards their deductible expenses. Commissioner Weston asked what action was required, and Mr. Leitz noted a proposed resolution was in the packet of materials and he was seeking permission to sign the resolution. Mr. Weston made a motion for the District to adopt the Section 105 HRA Health Plan resolution. Seconded by Commissioner Sherman. The motion passed unanimously.

POSSIBLE PROJECTION WITH UVM STUDENT

Mr. Leitz explained that Amy Marshall Carney, the Chair of the Town's Conservation Committee, had engaged with UVM on a student project led by Professor Laura Edling. The class has a focus on environmental and natural resources management, and there is some expertise in mapping. Mr. Leitz noted the problem statement, as presented to the Board, would be presented to the class. If there was sufficient student interest a subset of interested students would study the problem statement and identify solutions. Mr. Leitz noted the students have freedom to identify their own course of study, and may take an approach that differs from our preferred approach. He also noted that some level of staff interaction and guidance was required and suggest that might include himself and Commissioner Parks. The Commissioners expressed their support for the partnership. Mr. Weston suggested the mentorship we could provide to the students would be valuable for all of us.

DEPARTMENT REPORTS

Department reports were reviewed, and a lengthy discussion was held regarding the high production at the water plant. Mr. Woodruff explained the department was aware of a leak but have not been able to identify the location. He noted the leak has been present for some time, but until the leak presents itself on the surface it will be difficult to locate and repair. A further discussion was held regarding the work at the Kneeland Flats Trailer Park, and some decline in usage was observed. Mr. Woodruff noted that decline was expected due to the new system.

EXECUTIVE SESSION

At 6:15pm, Commissioner Finucane motioned that a specific finding that premature general public knowledge would clearly place the public body involved at a substantial disadvantage. Commissioner Weston seconded the motion. All Commissioners voted in favor.

Commissioner Finucane then made a motion to enter into executive session for the purposes of discussing a labor relations agreement with employees. Commissioner Weston seconded the motion. All Commissioners voted in favor.

At 6:49pm, Commissioner Weston made a motion to exit executive session. Commissioner Finucane seconded the motion. All Commissioners voted in favor.

At 6:50pm, Commissioner Weston made a motion to adjourn. Commissioner Finucane seconded the motion. All Commissioners voted in favor, and the meeting was adjourned.

* Next Meeting of the Edward Farrar Utility District: February 12, 2025

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