

**Town of Berlin Public Works Board
108 Shed Road
Berlin, VT 05602
(802)223-4405 x304**

Commissioners

**Rob Allen / Wayne Lamberton / Gary Laroche
Ted Long / David Sawyer**

**October 28, 2019
Approved Minutes**

Present: Rob Allen (RA) Chair, Wayne Lamberton (WL), David Sawyer (DS), Dave Delcore and Thomas Badowski (TB).

Absent: Gary Laroche (GL), and Ted Long (TL)

Meeting called to order at 7:00 PM

Paine Turnpike North Sewer Improvement Project (PTN)

- Awaiting USDA approval of Bid Documents. Bids likely out Week of November 4, 2019.
- Letter to Richardson Road and Paine Turnpike North property owners has been sent to inform them of project and solicit their desire to connect.

Well #4

- Closing documents for the two well locations are finalized with closing anticipated soon
- Water Bond for Town Meeting Day 2020 vote is progressing

Berlin Mall Water Line

- Anticipate receiving Berlin Mall's preferred waterline extension route very soon.
- Likely Berlin Mall to attend November 11, 2019, meeting to discuss Town involvement in new water line

Route 12 Sewer Project

- VTrans has scheduled meeting #2 for November 1, 2019, to reconvene stakeholders in the Route 12 project. Likely DS, TM and TB to attend

Water and Sewer Allocation

- 315 gpd sewer requested by Arlene Pearson for her 395 Paine Turnpike N property. WL moved and DS second a Motion to approve the request by Arlene Pearson for 315 gpd sewer. Motion passed unanimously.

- TB anticipates Barrett Enterprises soon to request sewer allocation for their Paine Turnpike N parcels.

Sewer System Management

- 1) Allocation Recovery – TB distributed Counsel’s opinion letter citing Vermont Statute with respect to rate charged to customers

“§ 3615. Rents; rates

(a) Such municipal corporation, through its board of sewage disposal commissioners, may establish charges to be called "sewage disposal charges," to be paid at such times and in such manner as the commissioners may prescribe. The commissioners may establish annual charges separately for bond repayment, fixed operations and maintenance costs (not dependent on actual use), and variable operations and maintenance costs dependent on flow. Such charges may be based upon:

- (1) the metered consumption of water on premises connected with the sewer system, however, the commissioners may determine no user will be billed for fixed operations and maintenance costs and bond payment less than the average single family charge;
- (2) the number of equivalent units connected with or served by the sewage system based upon their estimated flows compared to the estimated flows from a single family dwelling however, the commissioners may determine no user will be billed less than the minimum charge determined for the single family dwelling charge for fixed operations and maintenance costs and bond payment;
- (3) the strength and flow where wastes stronger than household wastes are involved;
- (4) the appraised value of premises, in the event that the commissioners shall determine the sewage disposal plant to be of general benefit to the municipality regardless of actual connection with the same;
- (5) the commissioners' determination developed using any other equitable basis such as the number and kind of plumbing fixtures, the number of persons residing on or frequenting the premises served by those sewers, the topography, size, type of use, or impervious area of any premises; or
- (6) any combination of these bases, so long as the combination is equitable.”

- 2) Allocation Fee Increase. Counsel suggested “The best approach is to have a general provision in the ordinance setting forth that “fees for approved allocation shall be established by the PWB, by resolution, from time to time...” A change in Ordinance language allowing such will be drafted.

Next Meeting

The next meeting will be **November 11, 2019**.

Minutes – WL moved and DS second a Motion to approve the Minutes from October 14 9, 2019, as written. Motion passed unanimously.

Warrants

- WL made a motion to approve Sewer Accounts Payable Warrant Report 20S06 for checks # 3327– 3332 for a total of \$45,556.00 with DS second. Motion passed unanimously.
- WL made a motion to approve Water Accounts Payable Warrant Report 20W06 for checks # 10375 - 10379 for a total of \$3,376.18 with DS second. Motion passed unanimously.

Adjourned - Motion made by WL with second by DS to adjourn at 7:35 PM. Motion passed unanimously.

Thomas J. Badowski
Recording Secretary
Berlin Public Works Board