

COMMUNITY WASTEWATER PROJECT

The Planning Commission (PC) provided more answers for the eighteen questions. The Board did not review the questions that will be considered when drawing up the ordinance (see #2, #3, #16, and #17 in the attached document).

What are the terms attached to grants and other funds in the funding stack? What parts are potentially vulnerable to loss if construction takes longer than anticipated?

See #8 in the attached list of questions for the answer.

Vicky asked if the ARPA funds are the only funds at risk. Gordon Gebauer advised that the ARPA funds must be spent by December 2026, which is close to when the PC anticipates the project being complete. He is not aware of any other grants that are at risk due to deadlines.

What is the likelihood of cost overruns? Is there a plan if an overrun does occur? Is there/should there be a risk assessment?

See #9 in the attached list of questions for the answer.

Is insurance available to protect against such loss of outside grants and/or cost overruns?

Lee noted that VLCT has advised that the Town's policy will cover most of the infrastructure, such as a facility, pump station, and water tanks. However, some items such as underground pipes and pollutants are not covered. This does not answer the specific question but does give information on coverage for the infrastructure.

Will the system design be robust enough to deal with extreme cold, power outages, or other threats to reliable operation?

The design of the system has a track record of operating under Vermont conditions and furthermore, part of the operations and maintenance of the system is the contracting of experts who are on call to deal with and monitor the system over time. The second part of question #17 deals with user compensation which is ordinance related, therefore will be answered when drafting the ordinance.

The Board, Greg, and Vicky discussed opening a line of credit. A discussion ensued whether the Town could float expenses until reimbursements are received. This may be possible depending on how much the Town has in the Fund Balance. Greg wanted some direction on the amount of money they anticipate he will need to ask for.

APPROVAL OF CONTRACTS & TOWN ADMIN AUTHORIZATION TO EXECUTE CONTRACTS FOR OUTREACH COMMITTEE'S PUBLIC INFORMATION MATERIALS

Melissa submitted two contracts for Selectboard consideration and approval. The contracts are for design and development of information the Outreach Committee will send out to inform residents of the wastewater project prior to the bond vote. J. Andrews Marketing's contract is for designing two town-wide mailings and an information booklet. The amount of the contract is \$600. Esmond Communications' contract is to produce a video. The amount of the contract is \$2,875. The CWSRF subsidy will be used to cover the costs. It is unclear if postage and printing is included in the J. Andrews Marketing contract.

Bill thought there may be a conflict of interest with Julia producing the printed material because she is an outspoken proponent of the project. People not in favor of the project might feel the content is not neutral. Gordon explained that the Planning Commission will be supplying the information to be used, the contractors are not creating the content.

Lori Johnson asked if the Outreach Committee was asking for funds in addition to the \$5,000 that is available for communication. It was noted that the Committee has only asked for the Selectboard to approve the contracts and all funds will come out of their existing funds.

Sheila Franz asked if the products would be pro-wastewater. Gordon advised the information is neutral and will come from the website. The website and the FAQs are making the case for the project. Sheila's objection is that opponents would have to raise private funds to distribute communication for their side. Gordon explained that funds have been awarded to move this project forward and to communicate what it is about. Bill thinks that maybe the Town should give the same amount of money to the opponents. Gordon stated that would be up to the Selectboard but cautioned the Town would be using taxpayers' money to do so. He noted the funds being used by the Outreach Committee are coming out of grants the Town has received.

Nanette compared distribution of the information to a town or school budget. The Town has provided information on what voters will be voting on in the past. She feels this is no different, adding that the information should be neutral. Gordon explained the information is already available to the public on Westford's Future website. Greg asked why the Town would promote a project as a negative. This is the path the Town has chosen, and these are the arguments for it.

Dave thinks outreach is by default positive, as seen in past precedent. The Town has marched itself down this path. It is a fact the information will present the project positively, but that information is important for a voter to make a yes or no vote. Dave is in favor of providing the information as long as it is transparent and factual in nature.

Dave Baczewski made a motion to approve the contracts as presented, and if not signed during the meeting authorize the Town Administrator to be signatory, seconded by Lee McClenny. Motion passed: 2-1.

COMMON COMMITTEE REQUESTS

Lori Johnson, a member of the Common Committee advised that the Town's insurance carrier recently conducted a hazard safety assessment of the Town Common and found that the chains for the swings are rusted and need to be replaced. The Common Committee feels they are not responsible for the swings because they did not put them there. Rather than have the work placed on the Town Administrator, Lori agreed to help by contacting companies to get quotes for replacing the chains. She provided two quotes ranging from \$456 to \$900; the higher quote includes installing the chains and seats.

The Board thought the quotes were high but recognized that the chains and seats need to be a specific grade and type for recreational use. Vicky believes it is liability driven.

Dave Baczewski made a motion to accept the quote submitted by Miracle Recreation Equipment Co. for new chains and seats and installation, seconded by Bill Cleary. Motion passed: 3-0.

The Common Committee is requesting authority to trim trees on the common and at the library every year going forward as needed so they do not have to come to the Board annually for permission. Lee McClenny made a motion to approve the Common Committee trimming all flora on the common and at the library going forward, seconded by Bill Cleary. Motion passed: 3-0.

Lori advised that there is a problem with people parking and driving on the common during events, mostly alongside Common Road. The Committee discussed possible solutions at their last meeting. As pointed out in previous meetings, the common has an extensive drainage system under the surface and driving on the common could damage the system. Melissa Manka, Town Planner, suggested shrubs, or fence. However, the Committee feels these would require maintenance. The Committee considered boulders (similar to what the Brick Meeting House has) or fence posts with rope or similar material connecting the posts. Nanette suggested talking with VLCT before anything is placed on the common. Her suggestion is based on the State mandating the Town removing the split rail fence from the common and in front of the town office for liability reasons. It was noted that placing things in the right of way is frowned upon, as well as may create an issue for plowing.

Bill advised that people who parked along Common Road during the Fourth of July celebration did so in a respectful manner. Lee thinks this needs more investigation from the Common Committee before the Selectboard can act on anything.

REQUEST FROM MORGAN BROOK FARM TO APPROVE LETTER OF SUPPORT FOR GRANT APPLICATION

Morgan Brook Farm is requesting a letter of support for a grant application. Lisa Hallstrom advised that the grant will be used to purchase an additional freezer and a smoker. Adding this equipment to their business will provide more opportunities for farms within the area. A draft letter was provided to the Selectboard. Dave Baczewski made a motion to approve the letter as drafted to support Morgan Brook Farm's grant application, seconded by Bill Cleary. Motion passed: 3-0.

RESCHEDULING WESTFORD COMMUNITY EVENT FROM JULY 14 TO JULY 21

Erin and Basil Panattu postponed the Westford Family Night community event due to inclement weather. They are requesting Selectboard approval to reschedule the event for July 21 with no changes as previously approved. Lee McClenny made a motion to extend the Board's prior authorization to hold the event on July 21, seconded by Dave Baczewski. Motion passed: 3-0.

REPOSITION BOULDERS AT NORTH END OF COVEY TRAIL

The Conservation Commission was notified that the boulders at the north end of Covey Trail have been moved and vehicles are being driven on the trail. They are requesting the boulders be repositioned so vehicles cannot access the trail. John believes the boulders were moved to accommodate someone who has permission to drive on the trail. The Board would like Nanette to investigate this further before any decision is made by the Board.

LIBRARY TRUSTEE RESIGNATION

Patricia Pittala submitted a resignation letter as Library Trustee. Bill Cleary made a motion to accept Patty's resignation with gratitude, seconded by Dave Baczewski. Motion passed: 3-0.

CORRESPONDENCE

Lee received a phone call from one of the admins from a rescue team checking to see if the Town needs anything after the flood. Lee thanked them for reaching out and advised that the Town is not in need of assistance.

In response to a notice that ditching and culvert replacement on Huntley Road is scheduled to begin, Maureen Carpenter submitted an email expressing her concerns. She feels that a

significant safety issue is being created due to town roads being narrowed during the ditching process. Rather than reducing the width of the road, she feels the ditches should extend into properties. She questioned if Dig Safe had been contacted. John explained that the Town needs to stay within the town right of way when ditching. He added that Dig Safe is called for all new ditches, and when necessary, utilities are being reconfigured to accommodate the ditching. John pointed out that Huntley Road has a width of 22.5 feet whereas Westford Milton Road, which is paved, is not that wide. Reducing road width is a traffic calming measure which was suggested to the Town by Chittenden County Regional Planning Commission. John also pointed out that the Town Road & Bridge Standards signed by the Selectboard and based on State criteria dictates the design in width and depth of ditches. John advised that wider roads, such as Cambridge Road, take longer to grade and use more material because of their width.

Bill admitted that roads can look extreme when they are first ditched. However, over time the ditch fills in with sand, dirt, weeds, etc. Lori Johnson suggested putting reflective flexible rods/posts into the ditch to bring awareness of the ditch. Bill pointed out that Westford had almost no damage from the recent flooding and attributes it to the depth of the ditches and the crown in the road. Dave has noticed that cars have slowed down when roads have been ditched or narrowed.

Joe Franz submitted an email to the Board for taking his traffic concerns seriously. He believes blitz enforcement is needed and is happy to have law enforcement use his field for their work. He observed when the road is newly graded the traffic increases, but speeds are okay. Joe noted that there is a no thru trucks sign at the end of the road and asked what counts as a truck. John pointed out that an empty dump truck weighing 42,000 pounds is considered too big. He noted that there are multiple properties that have a project going on that requires travel on Woods Hollow Road therefore they are allowed. The Sheriff would have to stop every truck to see where they were going and that is not sustainable. It is John's understanding that the Sheriff cannot stop fuel or propane trucks. Bill asked Joe if his concern is with trucks speeding or he just does not want them on the road. Joe feels a lot of the trucks are using Woods Hollow Road as a short cut and many are going back and forth every day. Bill is concerned with the amount of time it would take the sheriff to investigate every truck that is travelling on the road to determine their destination. This would take hours from the speed enforcement that the Town contracts with the Sheriff's Office for.

COMMUNICATION

There were no outgoing communications.

REVIEW FINAL FY'23 GENERAL FUND BUDGET STATUS REPORT

Greg Barrows, Treasurer, reviewed the final FY'23 General Fund budget status report.

ACCOUNTS PAYABLE AND PAYROLL WARRANTS.

Greg Barrows, Treasurer, reviewed the accounts payable and payroll warrants.

EXECUTIVE SESSION

At 7:58 p.m., Dave Baczewski made a motion to enter Executive Session to discuss a personnel matter, seconded by Bill Cleary. Motion passed: 3-0. Those in attendance were Lee McClenny, Dave Baczewski, Bill Cleary, and Nanette Rogers. The Board exited Executive Session at 8:53 p.m. No action taken.

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July 13, 2023
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ADJOURN

The meeting adjourned at 8:53 p.m.

Respectfully Submitted,

Lee McClenny, Chair
Selectboard

Callie Hamdy
Minute Clerk

GUEST LIST

Ben Bornstein
Gordon Gebauer
Lori Johnson
Kim Guidry
Ira Allen
Vicky Ross
Sheila & Joe Franz
Lisa Hallstrom
Louise Jensen

TOWN OF WESTFORD HIGHWAY DEPT.
ROAD SCHEDULE
June 23, 2023 – July 13, 2023

Work to be done

- Grade roads.
- Haul in road gravel and winter sand.
- Replace a few cross culverts.
- Start Phelps Road project.

Work completed

- Hauled in road gravel and winter sand.
- We hired Bob Manning with his skidsteer to grade and clean out the ditches on Machia Hill Road (37 loads of gravel added), White Church Lane (7 loads), Rogers Road (6 loads), and Pettingill Road (56 loads).
- Had a contractor come to reinstall a 48" culvert on Cowie Road (15 loads of gravel hauled to the site).
- Patched potholes on Woods Hollow Road.
- Graded Brookside Road and south end of Old Stage Road.
- Replace the brake air valve and 2 hoses on the 2020 international.
- Assisted Consolidated contractor with installing a new line on Huntley Road.

Approved at the 7/13/23 Selectboard Meeting.

**Planning Commission Second Response to
SELECTBOARD QUESTIONS FOR COMMUNITY WASTEWATER SYSTEM**

WASTEWATER ORDINANCE-POLICY DECISIONS

1. Will there be incentives for property owners/businesses to connect during construction?
A: The Planning Commission supports and recommends that all municipal, civic, commercial and residential properties within the service area, that choose to connect at the time of construction, be permitted to connect to the system for no charge. The total estimated project cost of \$3.8 million includes the cost for properties within the service area to connect to the system at the time of construction. The Planning Commission anticipates that it will secure sufficient grant funding to cover the majority of the total project cost, including the cost for interested property owners to connect at the time of construction. Grant funding was awarded to the Town on the understanding that the funds would be used to support existing residential, commercial, civic and municipal uses by covering connection costs at the time of construction. This funding should be used as an incentive to encourage property owners to connect at the time of construction, which will also help spread out the operation and maintenance costs. The Planning Commission supports and recommends that future structures, and any existing structures that choose to connect after construction, be required to pay a connection fee to the Town to cover the administrative costs related to new connections or expanded use of existing connections. That fee may be adjusted annually to account for increased costs.

2. Will not-for-profit or "civic" entities (WCH, BMHS, Historical Society, etc.) buildings be treated as private residential property, as municipal buildings, or as something else regarding paying for costs of construction, operation, and maintenance?
A: This question, like #3 below, requires the Selectboard to consider the policy structure it wishes to establish regarding the payment of user fees. There are several options to consider. The Planning Commission can discuss the pros and cons of each option, but it cannot make policy decisions.

As explained in answer to question #1, above, the Planning Commission supports and recommends that properties within the service area be permitted to connect to the system during construction for no charge.

The Westford Historical Society has clearly stated that it has no plans to connect to the system at the time of construction, or any time thereafter.

There are a range of user fee options the Selectboard may consider for civic entities, including but not limited to:

- **The Town pays no portion of the user fee (bond repayment and O&M);**
- **The Town pays the cost of bond repayment, but no O&M;**

- The Town pays the entire cost of the bond repayment and O&M; or
- The Town pays the cost of bond repayment and O&M up to a specified threshold.

The Westford Common Hall (WCH) and the Red Brick Meeting House (RBMH) are valued civic buildings that provide significant community benefits. They are part of the fabric of the community. Both buildings have the potential to host more frequent events, assuming wastewater infrastructure and building upgrades are completed. The needed wastewater allocation for each building may at first be relatively modest. But, as each building hosts more frequent events, their respective wastewater needs will increase in order to support those events.

In the short term, both buildings need to, and are planning to, complete improvements which should help them host and attract more financially lucrative events. The questions then are: How much financial assistance, if any, is the Town willing to provide to help move the buildings towards sustainability? How does the Town balance broad civic use of the buildings with the goal of sustainability?

If the Town chooses to reduce or eliminate user fees for the WCH and RBMH, that reduction must be made up (paid for) by others. The user fees not allocated to civic facilities could be divided among the other users and the Town. However, since the broader community enjoys the benefits the civic facilities provide, if a user fee discount is to be provided, it may be most equitable to fund any such discount via the general fund, which can be done through the Town's annual adoption of its budget, and not place the burden on the other users. The Town currently provides financial support to the WCH and RBMH in this fashion.

The Town may also consider providing financial assistance to the WCH and RBMH for a specific period of time. The Planning Commission discussed time options of 5-10 years, which should be enough time for the WCH and RBMH to complete building improvements that would help them become self-sufficient.

If the Selectboard decides to provide a mechanism for reduced user fees for the WCH and RBMH, the Planning Commission does not recommend tiered rates, meaning different rates for different structures or different uses. Tiered rates are not based on wastewater flow allocations, but rely on sometimes complex formulas that tend to be cumbersome to manage and regulate. For instance, the Town of Hyde Park tried a tiered rate system whereby Hyde Park charged county and State owned buildings more than other users without that increase being tied to flow allocation. The rates were challenged in court and as a result, the rate structure was changed to one based solely on flow allocation.

Ultimately, the decision of if and how to provide user fee assistance to the WCH and RBMH involves balancing competing Town interests: the interest in supporting buildings that provide key civic functions, and the goal of helping these buildings become financially self-sustaining. User fee assistance for civic entities should not be expected to continue if the facility ceases to be available for public use, i.e., a sale to a third party or change of use to strictly private functions.

The Planning Commission supports user fee assistance for the WCH and RBMH for a specified time frame, consistent with the Town's current policy of providing financial assistance. Financial assistance should be to support the WCH and RBMH in becoming self-sustaining. A final policy decision will benefit from refined user fee estimates, which are anticipated to be available by mid-August. Prior to making that policy decision, the Planning Commission recommends that the Selectboard discuss with the Boards of the WCH and RBMH their respective current and anticipated future needs.

3. Will multiple housing units or "affordable housing" units be treated differently from other private residential housing regarding costs of construction, operation, and maintenance? Will there be any incentives?

A: **As noted above, the Planning Commission supports and recommends that all properties within the service area that choose to connect at the time of construction be permitted to connect to the system for no charge.**

Affordable and multi-unit housing options provide a benefit to the community by offering a diverse mix of housing options within the Town Center. However, the existing multi-unit housing in the service area is privately owned, so it is more challenging to make a case that these uses receive a user fee discount as an incentive. Separate from any ordinance policy, there are State funded financial programs available to assist renters with the payment of utility bills.

In developing the user fee structure, the Planning Commission supports applying a flexible and equitable approach. Existing apartment buildings in Town consist of 1 and 2 bedroom units. The user fee structure could accommodate these multi-unit residential structures, for instance, by charging on a bedroom-based or estimated gallons per day flow basis, rather than on a fixed rate per residential unit. The Equivalent Residential Unit applied to single family residences is 245 gallons per day. The allocation for a 1 bedroom apartment is roughly 160 gallons per day. Using actual allocation on a gallon per day basis would result in reduced operation and maintenance costs to multi-unit structures. In addition, the Selectboard may want to consider a reduced connection fee for future multi-unit structures as an incentive to connect.

The general concept of if, and how, to provide a user rate discount for multi-unit residences is appropriate to consider now, but the final policy decision will benefit from refined estimates of user rates and operation and maintenance costs, which are anticipated to be available by mid-August.

4. How will the Westford Country Store (and any future commercial buildings) be treated regarding paying for costs of construction, operation, and maintenance?

A: As noted above, the Planning Commission supports and recommends that the Westford Country Store and Cafe, like all other properties within the service area, be permitted to connect to the system, at the time of construction, for no charge.

The Westford Country Store and Cafe, as well as other future commercial establishments (and residential buildings), will pay their own share of operation and maintenance costs. If the system is constructed, the store would be able to fully utilize the apartment and its seating area. The number of seats and/or bedrooms drive the wastewater capacity the store will need from the community system, and also should determine the proportion of operation and maintenance costs the store may be expected to pay. The store's needed capacity will be greater than the wastewater flow generated by a typical single family residence. As with multi-unit residential properties, the Planning Commission supports applying a flexible and equitable approach. The user fee structure could accommodate commercial uses, for instance, by charging on an estimated gallons per day flow basis, rather than a fixed user rate per unit.

The Selectboard may also consider whether food preparation or other activities that generate 'high strength' wastewater (high strength = more organic content compared to standard residential wastewater) should require pre-treatment to lower organic strength prior to discharge to the collection system. For instance, depending on existing wastewater character and the store's anticipated plans, the initial connection could include pre-treatment, in addition to a STEP tank and grease trap, in order to bring the effluent closer to that of standard residential wastewater prior to entering the collection system.

5. How much should new system users pay to connect to the system after construction is complete to offset general construction costs, and costs for installation of needed equipment (tank, pump, etc.) on their own property?

SYSTEM COST AND FINANCING

6. How much will construction realistically cost, overall?

A: The current estimated total project cost, from the beginning of the planning process several years ago, to the end of construction, is approximately \$3.8 million, as summarized in the Project Cost Summary (PCS) provided to the Selectboard at its May 31st meeting. This includes significant contingencies, as

required by the State and grant funding sources, in order to account for cost overruns, inflation and to fulfill grant award requirements. Contingencies of between 25% and 75% were required. The Engineers Opinion of Probable Total Project Cost, as set out on page 26 of the Supplemental PER, was \$2,846,000. This opinion was rendered in January 2022. The Town's engineers are currently working to refine the project design and will be able to provide a refined estimate after further investigation and analysis.

7. How much of this cost will taxpayers have to pay (i.e., what is "funding stack", in detail)?

A: The current "funding stack", which was provided to the Selectboard at its May 31st meeting, will be updated once the Town receives word on its most recent grant application. The Town is awaiting final approval from CRRP of its grant application in the amount of \$757,472. The application was approved by the first level review. This approval must go to CRRP's next level of review. The Town anticipates the next level of review will also approve the \$757,472 grant. Assuming the Town receives this grant, then the total amount of grant funding that the Town will be awarded is approximately \$4.0 million, to pay for a project that is currently estimated to cost \$3.8 million. What this means is that fundamentally, Westford has been awarded sufficient funds to ensure that its local match (i.e., the bond amount that would have to be repaid from any combination of user fees and general fund) will be a relatively small amount in comparison to the total project cost. The exact amount of the local match (bond) is a little complicated to determine at this time. Certain grants require matching funds, which in some instances may come from other grants, and in some instances may not. Further, how the final bond amount sugars off to assessed value is unknown until the Town's consultant team and town staff allocate the available grant funds to the project in a way that leverages the maximum amount of external grant funding.

At this time, based on the anticipated 'funding stack', the estimated minimum bond amount will likely be about \$400,000 and the worst-case maximum should not exceed \$900,000. The bond may be repaid over a period of up to thirty years.

8. What are the terms attached to grants and other funds in the funding stack? What parts are potentially vulnerable to loss if construction takes longer than anticipated (i.e., how much additional money might taxpayers have to provide, under what circumstances)?

A: Most of the committed funds are contingent upon a successful bond vote authorizing the municipality to incur debt for its share of the project. Certain grants require matching funds, which in some instances may come from other grants, and in some instances may not. Once the funding stack is final, the Planning Commission and the Town's consultants will align and leverage the grants to maximize the available funds from each grant.

ARPA funds must be fully expended by December 31, 2026. Should the Town not authorize construction in time to complete construction by mid-2026, the ARPA funds (the largest share of the funding stack) could be at risk. If ARPA funds are not available, the project is at risk.

9. What is the likelihood of cost overruns? Is there a plan if an overrun does occur? Is there/should there be a risk assessment?

A: The process of developing bid documents and reviewing contractor bids will involve the Project Engineer and engineers from the Vermont Department of Environmental Conservation. Costs are never final until the project is fully closed out and the warranty period (usually 1 year) has expired. However, this is not an unusual project. The proposed design does not involve unusual equipment or processes, novel construction techniques, or work in unusual or challenging conditions. Therefore, once a contractor's bid is reviewed and accepted by the State and the Town, significant cost overruns are not anticipated. If, however, costs exceed the bond amount approved by voters, then additional outside funding will be needed and/or another bond vote would be required to increase the maximum bonded amount.

As a precaution against potential cost overruns, the Selectboard could authorize a bond vote for more than the minimum necessary to pay the difference between the funding stack and the total project cost. For instance, if that delta is \$500,000, the Selectboard could consider authorizing a bond vote for \$600,000.

The bigger risk and cost to the community will occur if the project and bond are not approved by voters. If that happens, the wastewater constraints in the Village will not go away or cure themselves organically. If a bond is not approved, all that will do is foist a higher cost on future generations without the benefit of the significant grants available now.

10. Is insurance available to protect against such loss of outside grants and/or cost overruns?
11. Will there be potential cash flow bottlenecks requiring the Town to borrow additional money?

A: Last year the Planning Commission suggested that the Selectboard direct the Town Treasurer to establish a line of credit for this purpose. For a project of this size, the largest bills from contractors during construction will likely be between \$100,000 and \$115,000. Towns that have constructed similar infrastructure projects have used short-term lines of credit to ensure sufficient cash flow to comfortably pay contractors before State reimbursement is made. The Planning Commission recommends that the Selectboard establish a line of credit for this purpose.

OPERATION, MAINTENANCE, AND ADMINISTRATION

12. How much will operation and maintenance realistically cost, including administration, billing, etc., annually and over time?

A: The estimated operation and maintenance costs are detailed on Page 27 of the Supplemental Preliminary Engineering Report. The current estimate for annual operation and maintenance costs is \$42,872. This amount must be refined as part of the Town's ongoing efforts to update the cost estimates. The updated estimate will include not only costs for system related maintenance, which is generally done through contract operators, but for Town billing and management as well.

The estimate of \$42,872 is roughly consistent with the experience for other systems of comparable size. The Town of Warren's annual budget is roughly \$39,000. The Planning Commission and its consultants will seek information from other communities with wastewater systems as to their annual budgets. The estimate for operation and maintenance must be projected forward with inflation factors since the system would not begin operating until 2025 at the earliest.

13. How will operation and maintenance costs be divided among system users? Will other taxpayers pay a portion of those costs?

14. Do user fees roll into the General Fund or is it required that they be kept separate?

A: While a separate FUND is not absolutely required, separate ACCOUNTING of receipts and expenditures is required. For this reason, most Vermont towns have a separate fund/account for user fees and other system receipts, expenses, and reserves. See 24 VSA §3616

15. Is there a Standard of Operating Procedure for when there is an emergency in order to make any costs incurred due to the emergency eligible for FEMA or other funding?

A: The response below is from Ben Rose, Recovery and Mitigation Section Chief at the Vermont Emergency Management Agency:

Westford has accessed these funds before. The short answer is that there is a simple and well-trodden path for a community to seek FEMA assistance in the aftermath of a federally-declared disaster through FEMA's "Public Assistance" (PA) program. Westford has been an applicant for FEMA PA in previous events, e.g., the November 2019 storm. For municipal infrastructure which is damaged during a storm (assuming that it is declared a federal disaster covering Chittenden County) the process is fairly straightforward:

1. Report the damages to Vermont Emergency Management (note that the regional planning commissions are generally tasked with reaching out to each town's Emergency Management Director to collect information about damages incurred). Once VEM knows a community has incurred damages, we reach out about next steps in working with FEMA.

2. Do whatever is necessary to expeditiously repair the damaged facilities, following your own procurement policies, etc. and maintaining good records of expenditures. FEMA PA is a reimbursement program, so a community should never need to “wait for FEMA” to do what needs to be done to fix broken things.

3. Submit a “request for public assistance” (RPA) form on-line through the FEMA Grants Portal. That is not as hard as it sounds, and Westford has successfully done it before.

SYSTEM DESIGN RESILIENCE

16. What is the appropriate "reserve" capacity for the system? How many buildings, toilets/sinks, and people should the design include to accommodate growth in population inside the service area? Should the design include the possibility of geographic growth, too?

A: Based on its hydrologic capacity, the disposal field will have a total capacity of approximately 24,000 gallons per day using a drip dispersal system. Current estimates indicate that the connected capacity at the time of construction will be between 10,000 and 12,000 gallons per day. This will leave approximately 10,000 to 12,000 gallons per day of permitted but unconnected (unused) capacity. The Selectboard should consider reserving enough capacity for future expansion of current uses and potential failure of existing systems that have to connect after construction. The Town Plan encourages childcare, small residential units, senior and affordable housing, and the relocation of the post office as future uses in the Village. The Selectboard may want to consider holding enough in reserve for these potential future uses. The Town should also consider reserving capacity for potential future municipal needs. A reserve of 10% of total capacity, which is approximately 2400-2500 gallons per day, is the absolute minimum the Selectboard should consider. A reserve of 20%, or approximately 4,000 to 5,000 gallons per day would give the Town more flexibility to address future needs and preferred uses as identified by the community in past surveys and planning efforts.

At the present time, all permit approvals and grant awards are tied to a specific system serving the currently defined service area. A modification or expansion of the service area would require additional funding, additional State approval, and a separate future bond vote.

17. Will the system design be robust enough to deal with extreme cold, power outages, or other threats to reliable operation? How are system users compensated for any suspension in service?

A: The proposed system will have built in generators at the Town Common pump station and the Brookside Road valve vault and dosing station. A system operator will be on call to address outages or other issues, such as emergency action in the

event of a prolonged power outage. Individual onsite systems currently in place in the service area do not have these types of safety and monitoring features.

Most of the materials and components used for community wastewater systems with soil-based disposal are the same as those used in “conventional” septic systems. The septic tanks, pumps, and piping have been used in septic systems throughout Vermont and New England.

The subsurface drip dispersal system will be pressure-dosed, as is required for all systems permitted under the VT Indirect Discharge Rules. Instead of perforated pipe and stone trenches, the drip system utilizes flexible plastic lines with emitters that drain completely after every cycle. As is common practice with all pressure distribution systems, the dosing lines leading to disposal fields are buried below the frost line, and risers are protected from freezing.

There are several companies that manufacture drip-dispersal septic systems like the one proposed for Westford. One of the largest companies in terms of the number and size of systems already installed in New England is Perc-Rite. The local distributor of Perc-Rite systems is Oakson, which is based in Gloucester, Massachusetts. If the community wastewater system is approved by the voters, it is likely that the Town will use a Perc-Rite system designed by Oakson. Oakson has designed hundreds of drip-dispersal systems for municipalities, companies, and individual property owners. *A Basic Overview of Perc-Rite® Drip Dispersal System Operation* can be found at this link:

[drip dispersal cold climate operation narrative.pdf \(westfordsfuture.com\)](#)

A partial list of the large-flow Per-Rite drip-dispersal systems Oakson designed for New England sites can be found at this link:

[large flow drip disposal systems march 2023.pdf \(westfordsfuture.com\)](#)

Oakson also created a YouTube video that explains the technology and robustness of the Perc-Rite systems. The link to that YouTube video is here: [Large System Perc-Rite® Drip Dispersal Webinar 3/25/2021 - YouTube](#)

One question Oakson regularly receives is the same question that Westford has posed regarding the ability of the system to operate properly at sub-freezing temperatures. As Oakson explains in the video, the design and function of the Per-Rite drip-disposal system prevents malfunction due to freezing temperatures. The system is electronically monitored for early detection of any abnormal variations in operation. In addition, a local system operator will be on call to address operation issues and power outages.

The Oakson video is almost 2 hours long. It would be difficult to try to explain all of the features incorporated into these types of systems within the confines of this response. The YouTube video explains how the systems operate better than the planning Commission can. You are highly encouraged to watch the video.

The Town will own components of the system (pipes, pumps, STEP tanks, dispersal field, etc.). The Selectboard should consider the appropriate policy response if a property owner disposes of materials that should never go into a septic system, like paint for instance, which then requires repairs to portions of the system. The Planning Commission recommends that any property owner that causes damage to the system be required to pay for the necessary repairs.

18. How do limits in the existing supply of potable water in the service area limit or affect the potential size of the system? Does an expanded water supply need to be found to operate the system?

A: Water supplies in the proposed service area do not affect the design of the proposed wastewater system or the capacity of the disposal site. It is assumed that connected users will be discharging water from their own on-site water sources into the wastewater system. For existing structures, these on-site water sources already exist.

The answer to the second question is no. The entire design of the system assumes that water supplies will remain 'as is' meaning that connected users will continue to use on-site wells as water supply. Connected users do not need to have an expanded water supply to use the system. Any new development that occurs within the service area will be required to have its own sufficient water source and will need to obtain a potable water supply permit from the State.

Moving wastewater away from individual on-site systems (as present throughout the Common area) to an off-site treatment area will reduce the risk of contamination to existing potable water sources in an around the Town Center and may allow for additional wells to be located where they may not be able to be located today due to state required isolation zones.