
CFD2 | Regular Meeting

03.04.2024 via Zoom 5:30-7:03pm

Attendees

Gina Campoli (President)
Nicole Civita (Board Member)
Paula Davidson (Treasurer)
Christina Finkelstein (Secretary)
Seth Hayden

Jamie Milholland (Board Member)
Kestrel Owens (Board Member)
Steve Smith (Systems Operator)
Jake Tracy (D&K)

ABSENT:

Ian Baldwin (Board Member)
Renee Rossi (Board Member)

Acronym Guide

DEC	Department of Environmental Conservation
D&K	Dubois & King, consultant engineers for CFD2
RCAP	The Rural Community Assistance Partnership
WL-01	Well polluted with PFAS
WL-04	Well with no detectable levels of PFAS
WL-05	Reference to potential primary source well or its location
WL-06	Reference to potential primary source well or its location
WL-07	Reference to potential primary source well or its location

Agenda

1. Additions/changes to Agenda
2. Approve minutes from last meeting
3. Status of WL-06 and WL-07 - permitting
4. Status of WL-06 and WL-07 - easements
5. Finance Committee update
6. Status of the State's PFAS Source Investigation
7. Other Business
8. Vote on new Board member

1. Changes/Additions to agenda

- a. Finance Committee update
- b. Status of the State's PFAS Source Investigation

2. Approve Minutes

- Nicole noted that Gina's update about the state's PFAS source investigation was omitted from the February minutes. The Addendum is attached to these Minutes and will be added to the final version of the February minutes saved on the Town website.

MOTION: Nicole made a motion to approve the minutes from February 5, 2024, with the Addendum. Gina seconded. The motion passed unanimously.

3. Well-06 and -07 Permitting Progress Update (Jake Tracy)

- D&K is working on the wetlands permit application and permitting specialists are working on any other required permits.
- D&K is close to submitting the construction application, but needs the easement.
- DEC approved the source yield.

- WL-06 is approved for 1g/m so that it can be hooked-up and online. Once the infrastructure is in place, it can be shut down and be in place in case anything happens with WL-07.
- The Source Protection Plan is almost ready for submission/review.
- Jake will check in with the rest of the D&K tomorrow to confirm that all the permitting and necessary steps are ready to go.

Discussion

- Gina asked about Act 250 and the related timetable. Jake said that the permitting specialists are reviewing all the necessary permits.
- Gina asked if the permits, including the review periods, are in the spreadsheet. Jake said the permits are, but the review periods would need to be added. He also said the spreadsheet needs to be updated.
- Last month, Amy Galford (DEC) noted in an email that she needs all the paperwork for a Step 3 loan at least several weeks in advance of the Bond Bank's next meetings, March 12th and May 30th. Christina asked if Amy's review was a separate process and whether it affected the permit timeline. Jake confirmed that they are two separate tracks.
- Nicole asked about the construction timetable and whether Seth, as the new buildings' manager at Sterling, needs to be aware of anything. Jake said that the easements need to be submitted before the construction application can be submitted and the permit in hand before soliciting contractors.
- Nicole reiterated that no construction can begin until after Sterling's graduation and that prior to construction D&K will need to work with Seth to make sure all the appropriate people at the school are made aware of upcoming activities.
- Discussion about whether all the permits need to be in place before D&K can go out to bid. Short answer: yes. Christina expressed concern about having sufficient time to line up a contractor after the permit is issued. Gina noted that all the permits need to be in place and that D&K will handle the process.
- Nicole asked to make sure the agreement requires the contractor to add a top surface to the access road.

4. Status of Easement Agreements (Gina, Nicole)

Gina reported that, overall, a great deal of progress has been made and the Infrastructure Committee is hoping to have all easements and related agreements executed by Friday, March 8th.

- In communications with DEC since the last meeting, we received confirmation that the state will reimburse CFD2 for the cost of the easement (\$103,000) with Sterling College for WL-07.
- In Amy Galford's (DEC) review of the documents, she made CFD2 aware that in addition to easements, a Certificate of Title is needed. Gina quickly learned that this requires specialized legal legwork. Fortunately, a member of CFD2's legal team was able to come to Craftsbury to do the research last week to produce the title. The lawyer found that Sterling has a mortgage associated with WL-06 property with Union Bank, so CFD2 needed their permission as well. Lori worked with the bank to get the necessary paperwork completed. Gina added that the CFD2 lawyers also worked with the Alford lawyers to get a Certificate of Title for that property as well.
- Gina reported that she reached out to the Alford lawyers to ask about the WL-06 easement as she had not personally seen it. Presumably, a final version exists because the CFD2 lawyer had to review the easement in order to complete the Certificate of Title.

WL-06

Nicole said that her conversations with the landowner (Alford) last week can help provide context on the easement status. There is concern that the restricted area will intersect with the one or two dry spots on which the landowner can put a driveway, which they intend to add in the future so that they can retire their horses there.

- Questions about how the DEC building restrictions in the protected area might affect the landowner's access and intent to build a driveway were just recently flagged by their attorney.
- The attorney is planning to send someone to the area to assess what effect the DEC restrictions may have on their intended use of the property. IF there will be an impact, then the landowner would like at least a letter of intent with Sterling College that they can use another dry area of the parcel on which they can build a driveway.
- Nicole said she asked Lori to reach out to the landowner to address any concerns and assure them that Sterling will work with them to ensure access.

- Nicole added that since neither the landowner nor the attorney are in Craftsbury, they have not been able to assess what the potential impact the DEC restrictions will have on their plans.

Discussion

- Gina and Seth offered to meet with the landowner with a measuring tape so they can see what portion of the parcel has restrictions. Nicole added that they need to assess whether there is a reasonable way for them to get driveway access. She couldn't remember if the area is really wet or is a wetlands area.
- Gina confirmed with Jake that a gravel driveway is permitted under the source protection area, so unless they wanted to build a paved driveway there shouldn't be a concern.
- Gina said she would follow-up with the lawyer after the call and let her know that she and Seth are available at a moment's notice to mark out the 200' radius and to reiterate that gravel driveways are not restricted.
- Nicole said that she can't imagine the school not being able to provide the landowner access. She said it may be helpful if Scott, Sterling's President, or Lori reached out to her again directly.
- Seth asked if there is a map with the restricted area on the parcel and whether the landowner has it. Nicole said she does have the map, but the area is so wet that it's not immediately obvious to the landowner where a driveway can be built without having the area reviewed in person.
- Gina continued to express confusion over the lawyer's concern of the rules because unless they wanted to put in a gravel driveway, there is no issue.
- Gina and Nicole agreed to reach out to the appropriate parties to ease any concerns about access and get the easement completed by Friday.

5. Finance Committee Update

- Paula reported that all was stable at the moment. She is paying bills as they arrive and applying for state reimbursement.
- A recent grant for the bottled water was approved and should carry CFD2 thru the end of June.

- Nicole noted that CFD2 will need a short-term extension because the earliest construction can start is late May, after Sterling's graduation.
- Jamie asked what CHS stood for in the budget report that was shared with the Board. Paula explained to the new Board members that Craftsbury Historical Society had been paying one fee annually, but they are transitioning to a higher annual fee until a meter is installed.

6. Status of the State's PFAS Source Investigation

- Gina reported that since the February meeting she spoke with Richard Spiese again and confirmed that a report on the PFAS source investigation will be released by the end of March.
- Nicole added that Lori Collins-Hall also spoke with Richard after the February meeting and confirmed that a report will be released in late March/early April, but that he wasn't planning a formal meeting unless the community requested it. Gina suggested waiting to see because she told Richard that the community would want a meeting and that it can be hosted at Town Hall. The Board was in strong agreement that many people would want a public meeting with DEC to review the findings.

7. Other Business

D&K Communication

- Christina expressed frustration with the frequency and/or sufficiency of D&K's updates and suggested that they share whatever project tracking they use on a regular basis so that the Board is aware of the progress outside of the monthly meetings. She added that the meetings could be a lot shorter if the Board could refer to a task list before and in between meetings. Discussion about what additional check-ins are needed and whether any are even needed other than the sharing of where they are on the project on a weekly basis in the form of a to-do list or gantt chart that they may use in-house.
- Christina is concerned that the monthly Board meetings are not frequent enough to ensure that D&K acts with urgency on action items. Gina said that she does not have the bandwidth to micromanage. Additional discussion about whether D&K can update the spreadsheet they created for us and the potential for more frequent check-ins with the infrastructure committee in the future.
- Gina will send a note to D&K about updating the spreadsheet.

Next Meeting

- Gina noted that Michelle Miller will be joining the next meeting and asked Christina to send her a reminder.
- Gina added that at the next meeting the Board can revisit the water check schedule and committee assignments.

8. Vote on new Board member

As announced at the last meeting, Nicole is leaving the Board and Sterling appointed Seth Hayden as their representative to the CFD2 Board.

MOTION: Nicole made a motion to appoint Seth Hayden to the Craftsbury Fire District #2's Board of Commissioners. Kestrel seconded. The motion passed unanimously.

MOTION: Gina made a motion to accept Nicole's resignation and thanked her for all her work and expertise as the Sterling College representative. Christina seconded. The motion passed unanimously.

Actions Items

- D&K to submit the source protection plan
- Gina and Nicole will reach out to Sterling and Dev Alford's attorney about getting the easement for WL-06 finalized by Friday.
- Gina will reach out to D&K about updating the shared project spreadsheet.
- Christina will remind everyone about the next meeting.
- (from 1/8) D&K to submit state wetlands permit
- (from 1/8) D&K to amend existing Act 250 permit
- (from 1/8) D&K to gather information for federal NEPA environmental review
- (from 1/8) D&K to confirm whether a state Stormwater Construction permit is required
- (from 1/8) D&K to provide proposed pump house plan (for circulation to customers)

- (from 1/8) Gina will reach out to former Board members for assistance with monthly water checks
- (from 12/4) Gina will follow up with Eli about withdrawing from the class action lawsuit.
- (ongoing) Committee members will continue to reach out to neighbors and customers about the importance of joining the Board.
- (from 11/6) Steve will ask Jon Ashley at the pump house next week about potential causes for the discrepancy between master water meter and total billed usage. If needed, Steve will reach out to the Vermont Rural Water Association.
- (from 10/2) Jon will inquire about the cost of the cation exchange system.
- (from 8/7) Christina will share a summary of the by-law and ordinance review.
- (from 7/10) Jon will send the Board a completed draft of the Asset Management Plan

Upcoming Meetings

The Annual Meeting will be on **Monday, April 1st at 5:30pm**. A special meeting will be called if there are developments or other issues that merit full Board deliberations.

A reminder announcement with the Zoom link (<https://us02web.zoom.us/j/87324152544>) will be posted on Front Porch Forum.

NOTE: The Zoom link (<https://us02web.zoom.us/j/87324152544>) and call-in details are the same for all remaining 2023 meetings.

Call in Details:

Meeting ID: 873 2415 2544

One tap mobile

+13092053325,,87324152544# US

+13126266799,,87324152544# US (Chicago)

Dial by your location

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 386 347 5053 US

+1 408 638 0968 US (San Jose)

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

Meeting ID: 873 2415 2544

Find your local number: <https://us02web.zoom.us/j/kARtU3GQR>

Addendum to February 5th Regular Meeting Minutes

Email from Nicole to Board on February 8 and approved on March 4th.

"I noticed that we do not have reflected in the minutes Gina's update re: the status of the DEC investigation, namely that she was in contact with Richard Speise and learned that DEC is nearing the completion of its investigation and planning to host a public meeting in Craftsbury in or around the end of March. That seems important to include and would suggest an amendment to that effect."