

Water/Wastewater Advisory Committee Meeting Minutes

Monday, August 26, 2019 at 8:30 am
Randolph Town Hall, 7 Summer Street

Members Present: Larry Satcowitz, Suzanne Pickett, John Lutz, David Farnham (arrived after the start of the meeting)

Attending Municipal Staff: Chris Chambers, Adolfo Bailon, Shannon Hance, Cliff Rankin, Michele Pallas

Public Attendees: Jay Larkins (a representative from Wind River Environmental) and Mark Medor (a representative from Drummac Septic Service)

Regular Meeting

Mr. Satcowitz called the meeting to order at 8:38 am.

1. **Public To be heard.**

There was no public to be heard at this time.

2. **Wind River- Sludge disposal and processing rate.**

Mr. Chambers briefed the committee (WWAC) that Wind River Environmental (WR) is requesting a refund of an amount that was “back-billed” to them by the Town of Randolph (TOR) from January to May of 2019 for which WR already paid.

Mr. Chambers then summarized the events that lead to the “back-billing” of services provided to WR for sludge disposal and processing.

Ms. Pickett commented on the sludge disposal and processing rates between the TOR and WR that were determined at a previous WWAC meeting.

Mr. Chambers commented further on the events that lead to the “back-billing” of services.

Mr. Rankin, Finance Director, commented on a hand-out showing the re-calculated sludge disposal and processing rates for January to May of 2019.

Mr. Lutz asked for some clarification of the re-calculated amounts. Mr. Chambers responded.

Mr. Satcowitz commented on the re-calculated amounts.

Mr. Larkins of WR commented that they should not have been “back-billed” for services that were rendered at an initially agreed upon amount.

Mr. Lutz asked about the new sludge disposal/processing plan versus the old plan. Mr. Chambers responded that the old plan did not account for the new Water/Wastewater (WW) Facility systems.

Mr. Satcowitz asked about the new sludge disposal and processing rate of \$.1815/gallon,

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and if this rate would be sufficient for WW expenses moving forward. Mr. Rankin responded that it will depend on the amount of sludge to be disposed of and processed moving forward.

A discussion ensued regarding whether or not WR would continue using the services of the Town at the re-calculated rate.

A discussion was had regarding WR's rate calculation vs. the Town's rate calculation.

Mr. Satcowitz asked about the "overhead" costs incurred by the Town. Mr. Chambers responded.

A discussion ensued regarding issues associated with the sludge disposal and processing in general, and costs associated with that.

Mr. Bailon suggested that the committee take a vote on this issue, but if it is a tie then the motion will fail.

A discussion ensued regarding the determination of a sludge disposal and processing rate moving forward.

Ms. Pickett commented on how the original rate of \$.085/gallon was determined, and that no deception was involved in the process.

Mr. Satcowitz asked WR how important it would be moving forward to have the TOR available to provide sludge disposal and processing on an emergency basis. Mr. Larkins responded that they would probably use other options if the TOR stays with the current rate of \$.1815/gallon.

Ms. Pickett commented that WR should not be responsible for paying the re-calculated rates.

Mr. Satcowitz suggested splitting the total amount to be refunded of about \$18,000 in half, 50/50, so that the TOR would refund WR an estimated amount of \$9,000.

WR disagreed with this suggestion requesting the full credit.

A conversation ensued regarding when WR was billed for the re-calculated amount, at what rate they were billed for, how much they should be refunded, and the rate moving forward.

Mr. Satcowitz suggested that the TOR refund WR the difference in amount that it would have cost WR to dispose and process of their sludge elsewhere at \$.10 instead of \$.085.

Mr. Satcowitz suggested that the future sludge disposal and processing rates can be

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determined outside of the WWAC meetings.

Ms. Pickett gave an estimated amount of \$2788.50 to be refunded to WR based on Mr. Satcowitz's second suggestion. Ms. Pickett estimated that the costs would then be split 15/85 between WR and the TOR.

Mr. Lutz asked if there was a date of re-assessment set following the original agreed upon rate of \$.085/gallon. Mr. Chambers and Ms. Pickett responded.

Mr. Chambers talked about the issues that started to arise at the WW facility as a result of charging based on the original rate. Mr. Rankin commented that the sludge disposal costs were also unexpectedly high.

Mr. Lutz commented that there are too many unknown variables for the WWAC to make a recommendation.

The WWAC talked about potential recommendations.

Ms. Pickett asked about the WW budget. Mr. Bailon and Mr. Chambers responded.

Mr. Satcowitz asked what would happen if WR had refused to pay the re-calculated amounts. Mr. Bailon responded.

A discussion ensued regarding checks and balances in response to arbitrary billings and refusals to pay.

Mr. Satcowitz and Mr. Lutz talked about the position/role of the WWAC in scenarios such as this.

Mr. Farnham arrived for the meeting at this time.

Mr. Lutz asked about the role of the "Board of Civil Authority" in scenarios such as this. Mr. Bailon responded and a discussion was had regarding the role of the "Board of Abatement" and the "Board of Civil Authority".

Mr. Satcowitz returned to his original suggestion of splitting the cost 50/50 between the TOR and WR.

Mr. Medor asked if Mr. Satcowitz was against the second suggestion of splitting the cost 15/85 between WR and the TOR. Mr. Satcowitz responded that he was no longer comfortable with splitting the cost 15/85 for various reasons.

Mr. Medor commented that they are not in agreement to the 50/50 split, but are in agreement with the 15/85 split. Mr. Medor also suggested a 25/75 split.

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Mr. Satcowitz responded and talked about how to determine a split that is fair for both the TOR and WR.

A discussion ensued regarding the sludge disposal and processing rate of \$.085 which was initially determined by both the TOR and WR on a trial basis at a previous WWAC meeting.

Mr. Chambers commented on a re-calculated rate based on the 50/50 split and a discussion ensued regarding this rate.

Mr. Satcowitz commented on the overall estimated costs to WR for using the TOR's services for sludge disposal and processing between January and May of 2019. Mr. Satcowitz again suggested the 50/50 split.

Mr. Satcowitz updated Mr. Farnham on the topics of discussion at the WWAC meeting during his absence.

Mr. Medor commented that he is still not in agreement with the 50/50 split.

Mr. Bailon commented on the transition in staff during the time that the agreement was made between the TOR and WR. Mr. Bailon commented that the fault is shared between the TOR and WR.

Mr. Farnham asked if WR will discontinue using the TOR's services at the new rate. Mr. Larkin responded that they most likely will not continue.

Mr. Satcowitz made a motion for the TOR to credit 50% of the revised balance of \$17,939.35 back to Wind River. There was no second to the motion. The motion failed.

Mr. Satcowitz suggested postponing a decision.

Mr. Lutz commented that he would like WR to continue as a customer to the TOR. Mr. Lutz proposed placing a credit on WR's future invoices.

Mr. Bailon commented that the TOR and WR are two separate types of entities that do not necessarily require a partnership.

Mr. Farnham agreed with the 25/75 split between WR and the TOR. Ms. Pickett also said that she agrees with the 25/75 split.

On motion by Mr. Lutz, and seconded by Mr. Farnham, the WWAC agreed to the recommended 25/75 split between the TOR and WR, creating a credit of \$13,500.00 against the net revised rounded balance of \$18,000.00 in addition to the already determined credit of \$6,413.55. Vote 2-1-1 (Mr. Satcowitz voted no and Ms. Pickett abstained)

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Mr. Satcowitz advised Mr. Medor and Mr. Larkins to attend the next Selectboard meeting on September 12, 2019 during which the WWAC will relay their recommendation.

Mr. Medor and Mr. Larkin provided Ms. Hance with their e-mails, and she agreed to send them the Selectboard meeting agendas, as well as consider moving the recommendation to the beginning of the agenda.

Mr. Medor and Mr. Larkins left the meeting at this time.

Mr. Lutz asked about revising the future sludge disposal and processing rate. Mr. Chambers responded. A discussion ensued regarding this issue.

3. **Revisions to ordinances (If time)**

No discussion.

4. **Systems' and projects' update (If Time)**

No discussion.

5. **Old/New business**

Mr. Satcowitz asked to adjourn the meeting and made a motion to adjourn the meeting.

Mr. Chambers suggested that the WWAC needs to start thinking about appointing a Secretary.

On motion by Mr. Satcowitz, and seconded by Mr. Farnham, the WWAC voted to adjourn the meeting at 10:14 am. Vote 4-0