

Town of Colrain
Select Board Meeting
55 Main Road/Town Office Building
7:00 P.M.
MINUTES OF April 6 2015

Present: Mark Thibodeau, Eileen Sauvageau, Jack Cavolick

Others Present Donna McNicol - Attorney for Griswoldville Sewer System, Colleen Worden – Office Clerk, Paula Harrison – Collector/Treasurer, Kevin Fox – Town Coordinator, Jason Ferenc - Town Counsel, Norman Ward

Meeting was called to order by Chairman Eileen Sauvageau at 7:00 PM.

Appointments

Norm Ward/ Donna McNicol-Griswoldville Sewer District- Sewer Treatment Services Agreement Discussion

Mark Thibodeau announced that he is employed by Barnhardt. Donna McNicol reviewed the history of the Griswoldville Sewer district. She stated that they were approached by the Colrain Center Business Association to do the collection systems. There has always been an issue with the treatment of the waste. She reviewed that there was a breakdown between the Town of Colrain and the Sewer District. During this time our district and state representatives became involved in opening talks with BBA nonwoven and that BBA nonwoven would provide treatment for no cost. Donna stated that there has always been a fear that the plant would be able to cut them off from treatment at any time, so there has not been a permanent solution for the treatment of the septic. She states that 21 homes cannot sustain a permanent solution. We have received a proposed contract from Barnhardt who is looking for \$300,000.00 in connection fees. But the district does not have these type of funds. Donna is here to open conversation to seek a long term solution and that the Griswoldville District would like to work together. Donna stated that the Griswoldville District has a document from 1970 to accept the sewer from the original 21 to 47 homes that are in the district. Donna explained that Colrain applied for the Grant, and then the sewer district was formed. Donna informed the Board that Colrain owns the system. The USDA has required the current district to have an agreement with the sewer treatment plant in order to apply for a sewer grant for the center of town. Donna would like in an agreement, that if there was a closing, there would be money provided to build a biomass infrastructure. The cost to the homes in the sewer district would not be affordable. Donna encourages to find a long term solution. She states that the Griswoldville sewer district was named in the sewer permit. Jason Ferenc stated we can infer that there was an agreement with the Griswold district and the plant. Donna reviewed that the original attorneys; Palmer and Dodge, were convinced there was an agreement. Jason concurs that the proposed contract does not address long term treatment. If there is no long term agreement then Griswoldville would have to look into setting up their own treatment plant. Kevin has met with Joel, the plant manager of Barnhardt, at that time Joel was given the requirements from the USDA. Kevin would like to negotiate some long term security. Kevin reminds that Board that they have 2.3 million available and there is an opportunity to try to solve this problem. The key currently is to get an agreement with

Barnhardt. Donna stated that an agreement with Barnhardt would release them from any obligation to the district and would allow them to leave or close. Mark informed the group that the permit is valuable. USDA does not want to give the town a grant without an agreement with the plant that is being used to dispose of the districts waste. The \$300,000 is to upgrade the aeration system in order to take additional waste products. Donna emphasizes that the Griswoldville sewer district would love to have a long term solution. There is no more leverage than that. Discussion on the proposed system for the center of town ensued. Eileen Sauvageau would like to see what the next step would be to bring this back to Barnhardt. Jason reviewed the proposed treatment proposal and is in agreement that this proposed agreement does not adequately address a long term solution but it is a start. Donna explained that there has to be some sort of expansion to the Barnhardt system which would be turned over to the district and then maintained with reasonable fees with the addition of the Colrain center homes included. Jack asked if you can force someone to hook up if the hook up is describe as a fee. Donna and Jason agree yes. And Jason adds that the Board of Health can require the homes to hook up. Donna believes that one of the main solution is to find the funding. Kevin Fox thinks a solution is to find a proposal that is acceptable with the town, district and Barnhardt. There was discussion as to the need for the aeration system. The engineers agreed with Barnhardt for the need for an aeration system and that a reasonable cost would be \$300,000. Kevin thinks that if the town would be able to craft an agreement with the plant and agreement with the Griswoldville district then the state would possibly help with additional funding. Donna points out it would be good to have enough of a grant to offset the fees to make it affordable for the district to continue. Donna stated that the plant would need a part-time operator. Discussion on the possibility of retrofitting the Barnhardt plant. Mark informed the group that to retro fit it would be 1.5 million so it would not be cost effective for the residents. Donna would like to have a meeting with the parties for clarification and the conditions that would need to be met. Donna clarifies that it is the Colrain Sewer District and not Griswoldville Sewer District and the town owns the infrastructure. Jack asked: are there three components to problem, collection system, processes system and discharge system? Barnhardt owns the discharge system. Colrain is applying for grants for the collection system so the problem remains of the affordability of the processes system. Is there any way to apply for funding or grants for the processes system. Kevin would have to look to see what the town would be eligible for. Discussion on what a potential agreement with Barnhardt could look like. Donna cautioned the board that years ago the Colrain Sewer District was assured that if they put in the collection system, the processing plant would come. But that second phase never happened. Next step is for the town to contact Barnhardt to negotiate the proposed contract to satisfy the USDA loan requirements. Discussion on a proposed sewer district that consisted of 80 to 100 homes and the fees and costs associated. Kevin will contact Barnhardt to open communications. Would it be beneficial for Jason Ferenc to draft a proposed contract to give to Barnhardt so they can review? Donna McNicol and Jason Ferenc will work together to put together a proposed contract for Barnhardt. Kevin will first contact Barnhardt to see if they are willing to talk about amending the contract. There was discussion on the boundaries of the Colrain Sewer District.

The plan to continue forward: some type of a verbal discussion with Barnhardt to see if they are willing to continue on this for a long term solution. Mark

Thibodeau informed the Board that Barnhardt will want to see an agreement stating they will supply sewer processing for the district. Jason clarified that there does not seem to be an agreement but a flurry of letters and memos stating that the plant would take the sewer from the 41 houses in the district. Kevin will contact Barnhardt and see if they are open to a long term agreement.

New Business

Approve/ sign FY 16ATM Warrant 4

Letter from Buckland Board regarding Pre K proposal from Mohawk Regional

Kevin Fox asked the board if they have reviewed the letter from the Buckland board regarding pre-k from Mohawk. Jason Ferenc informed the Board that it is clear that Mohawk does not have authority under the current regional agreement to assess the town for the pre-K program. Jason Ferenc informed the Board that there is a funding mechanism in place for funding pre K but is not through the assessment scheme. The district agreement contains a provision that says that nothing in this agreement shall prevent any other programs in this agreement. The Town will need legal authority to pay the bill if it comes to the town from the school. The Buckland board has suggested to separate the costs and propose two articles; one for the assessment of the costs for K through 12 and then Pre-K on a separate article. Jason reviewed the agreement and clarifies for the Board that the assessment process is very clear in the agreement and that the towns will be assessed for K through 12. The regional agreement does state that they can set up a pre K program but there is no provision for funding. Kevin informed the Board if they chose to leave the warrant the way it is then it is ready to sign, but if you want to break this out they would have to meet next week. The Board supports breaking the proposed article up into two articles. The Board would like the article separated until the district agreement is modified. The board will post a meeting on the 13th at 7 pm to approve the warrant for the Annual Town Meeting.

Sign USDA Fire Pumper Bond Closing Documents 1

Kevin informed the board that the loan is all set and the money was wired to the Towns bank account. No action needed.

Award Paving Bid for Jacksonville Road Mass Works Grant Funded Project

Kevin reviewed the bids with the Board and the bids came in low. Jack asked if Warner Brothers will do an additional bid at the same cost. Kevin does not know but will confirm.

MOVED: Mark Thibodeau moved to sign the award payment bid to Warner Brothers for the Paving on Jacksonville Road, for \$771,300.00 Jack Cavolick seconded and it was voted unanimously.

Not Anticipated
At time of posting

Historical Society

Jack Cavolick met with the Historical commission signing the letter. The Commission would like to be able to assess and access any comment on the design of the new garage.

MOVED: Mark Thibodeau moved to adjourn the meeting at 9:46pm Jack Cavolick seconded and it was voted unanimously.

Respectfully submitted,

Accepted by the Board of Selectmen

Paula Harrison
Office Clerk

Eileen Sauvageau - Chairman

Mark Thibodeau

Jack Cavolick

Documents

- Letter from Town of Buckland
- Sewage Treatment Services Agreement