

Minutes of 8/15/17 Sewer Commission meeting –DPW Conference Room –520 Chase Road

Attendees: Chair - Carl Luck, Vice-Chair – John Reynolds, Clerk – Joe Anderson, Members - Joan Pease, Business Manager, Barb Lefebvre, DPW Director, Jack Rodriquez,

Absent: Troy Daniels

Guests: Pat Cotton, Weston & Sampson, Dan Proctor

Carl opened meeting at 6:32pm stating that "in accordance with the requirements of the Open Meeting law, please be advised that this meeting is being recorded.

Roll call – John, Joan, Joe & Carl

APPOINTMENTS – Pat Cotton, Weston & Sampson – I/I reduction-report/next steps- Pat reported on the Inflow removal project, manhole dish project and sources of I/I. He came up with a list that warranted dishes, that had fallen in but were retrieved and/or replaced. The I/I value associated with the Mass Ave. improvement was 39,000gpd of peak inflow that was removed. Pat will send a list to Jack R. In regards to the I/I report, flow isolation and TV inspections were done in the spring. Two lines on Elizabeth Street have leaks and will need remediation. The drop connection at 44 John St. will need pipeline repair, as well as manhole repair needed at Kirby Ave./Electric Ave. They won't be doing all repairs at once recommend working on smoke testing for the rest of the town. Manholes are from the previous report. Pat reviewed the I/I control plan proposal for the State in accordance with DEP guidelines. The proposal was given to Jack in agreement for developing the plan for submittal in accordance with the DEP regs. The proposal includes summary of I/I reports for last 15 years, town's I/I activities for past 5-10 years, summary of any SSO event in last 10 years and a summary of future plan. It was noticed that the town regs do not have the 4:1 I/I removal policy for connections for design flows that exceed 15,000gpd. If a large apartment complex comes to town in future, with greater than 15,000gpd, they will be required to remove 4:1 in amount of I/I. If flow is 15,000gpd, they need to remove 60,000gpd. This will need to be in the report and added to the regs, and he included support to add this, increasing the original cost from \$4,000 to \$5,000. Pat should have the draft report by early November. The pump station drawdown test for 10 stations will cost \$500/station, for a total \$5,000 and will be done in early November. Future I/I investigations may include: Smoke testing in subarea 3, subarea 6 (north), northwest flow to Fitchburg and southwest to Fitchburg. 1, 2, 4 &. Other work may also be manhole & pipeline rehab, building inspections, and inflow investigations. Next step may be to overlay the 100yr FEMA map and inspect homes in the wetlands area. Also should do a flow metering project townwide and compare to the initial metering done in 2011. Jack added that a plan for scope of work for Manhole Remediation Task 1 will be put together in November and brought to the town manager to make sure we meet procurement. Carl requested that the Sewer Commission review the scope of work before going out to bid. Pat stated that the I/I State report is due in December, but the work can be done over time. All communities are required to submit this initial report but not sure how often it will be required. He feels Lunenburg is in good shape since many issues are already being addressed. The Commission discussed the estimated costs for the scope of work listed in the report. Carl suggested having SWSS look at the repair at Kirby Ave. John & Joan felt that plan should be kept the way it is.

ANNOUNCEMENTS & PUBLIC COMMENT - none

CURRENT BUSINESS

380 Electric Ave. Car Wash, Dan Proctor—Application, Privilege fee – Commission reviewed Dan's letter. Joan asked if counsel had responded but Barb said he was not able to yet. Carl suggested using the town counsel instead. Dan has submitted application and will submit a request for consideration of compensation. Feels he should not have to pay a betterment since the land granted for easement years ago is unbuildable. Joan responded that she understands his position but issue is that town has a new town counsel and that has slowed down the process. Dan asked for clarification on the privilege fee. Barb said that they are waiting for the old counsel to provide a summary of their work done so that SC can go to new counsel for assistance. Carl has booked time on the 22nd with the new town counsel and all plan on attending. Joe felt that this could set a precedent that could hurt development. Dan will redraft his letter and will give Barb an estimate of the value involved. Barb received \$21,000 and the building permit application from Dan.

Motion: Joe A.

Second: John R.

To accept the Dan Proctor's application to connect at 380 Electric Ave.

Vote: Unanimous

Barb will advise Dan of the approval.

K&P input/close out—Barb is waiting for a summary from KP Law. She talked with Jeff B. on 8/11, sent Dan's letter of 8/8 and 1999 memo of understanding. Jeff said he would try to get something out before the meeting. Barb sent him a reminder on 8/15. **SWSS Contract renewal**—SWSS response, need for additional counsel review—Commission reviewed the latest update on the contract. Carl proposed to vote to approve contract renewal.

Motion: Joe A.

Second: John R.

To approve the 2017 contract with SWSS, pending receipt of the agreement with SWSS.

Vote: Unanimous

Pump Station Monthly Reports – no report was received yet. Barb has gotten the weekly reports but she will ask for the monthly report. **Highfield Village: Legal Counsel Update/Next steps** - Barb reported there are no updates and she is awaiting a document from Jeff Blake.

Grease Trap Regulation Compliance—A&D Crossroads waiver – D. Brambila (A&D Crossroads) came in 7/14. He spent \$47,000 on a grease trap interceptor. No official waiver request for forgiveness of \$5,825 fine was received. Commission discussed whether to withhold permit, which would impact restaurants in the building or pursue a lien. Counsel will be consulted. **Establishments in non-compliance – Ugly Omelet** - Barb had sent a certified letter to Seth regarding \$25/day fine. The BOH told her that Kristy is now the manager and Barb will resend the letter to her.

Bad Larry's request - asking to waive the fee since they just opened. Joan suggested waiving the fee since it is beginning of month.

Motion: John R.

Second: Joe A.

To waive the \$50 fee for Bad Larry for August.

Vote: Unanimous

Chairman Debrief of Town Counsel Office Hours meeting on 7/25—Carl met with town counsel about separate counsel and secondly, if BOS can issue policy to control another board. Regarding procurement, since engineering is exempt, SC can decide to direct source. Counsel will stand by on the car wash issue. Open Meeting law regarding quorums --Non-quorum discussion between 2 members are ok occasionally. If it looks like a regular meeting of a subcommittee, a quorum is defined by the number of members of the sub-committee. An individual needs to have the opportunity to come to a meeting and be heard if they are to be discussed. Counsel will be able to help with understanding the charter as a whole, not just parts. **Commission Communications: Open meeting law re: communications**—Joan brought up issue of posting comments online and not wanting to violate open meeting law by adding comments. Members comments should be held until there is a meeting, so that everyone can discuss it as a group and everyone can feel they have input. **Procedure for altering meeting dates**—Joan brought up a concern about rescheduling meetings and would like to suggest giving 2 dates as alternatives via email. Carl asked the group about the process for cancelling meeting. Joan suggested if a meeting is cancelled, there should be a simple majority agreement and 2 alternative dates given. Carl said that the SC used to have a 3rd Thursday kept open to use for a rescheduled meeting or workshop.

Election of Officers – Joan suggested rotating the offices, as the Selectmen do. John suggested adding an agenda item to determine how often to rotate positions.

Motion: John R.

To nominate Joe A. as chair.

Motion: John R.

To nominate Carl L. as vice-chair.

Motion: John R.

To nominate Joan P. as clerk.

As new chair, Joe took over running the meeting.

Minutes—Reviewed 6/13/17 minutes— Carl suggested that dates of emails be noted in the minutes, as well as handouts noted. Barb added the date of Jack's email of 6/13/17.

Motion: John R.

To accept the minutes of 6/13/17, with the addition of the date of Jack's email.

Unanimous Minutes – 6/20 were discussed with one small grammatical adjustment.

Motion: Carl L.

To accept the minutes of 6/20/17, as amended.

Minutes 6/27/17 – Commission discussed the minutes and made several additional notations regarding the SWSS discussion in minutes.

Motion: John

To accept the minutes of 6/27/17 as amended.

Invoices—Weston & Sampson - \$11,853.01 for I/I project (camera, flow isolation). Regarding \$6000 manhole job—invoice for \$2890.02 (final invoice of 3)

Business Manager Report - Q1 bills—will be out by next week, **Privilege fee document**—120 West St.—Barb reported she received the counsel approved privilege fee document from Adam (MTC) on 8/15. Building has been sold and is ready to assess. It needs to be recorded.

Minutes Clerk—still have Emily working but will be starting to work at the school so she cannot continue to do the minutes. Barb will need to post the position. **Town Attorney office hours in August**—8/22 (4-7pm). **Request from John Londa**—he received an inquiry about using the Passios school kitchen for making wedding cakes. Gary Williams would need to inspect the kitchen and if 3 bay sink exists, it would need a grease trap. Commission discussed whether this use would be exempt since it was a town owned building.

Members Agenda Inputs for Future Meetings—John questioned about whether Dragonfly Café had made an application to connect. Barb will send a letter with a copy of the regulations.

Public Comment – none

Motion: Joan P.

To Adjourn: 9:03 pm.

Second: Carl L.

Vote: Unanimous

Second: Joe A.

Vote: Unanimous

Second: Joe A.

Vote: Unanimous

Second: Carl L.

Vote:

Second: John R.

Vote: Unanimous

Second: Joan P.

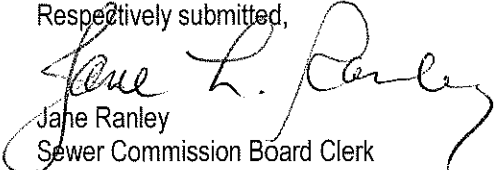
Voted: Unanimous

Second: Carl L.

Vote: Unanimous

Next meetings- 8/29/17 – Town Hall, 9/12/17- DPW, 520 Chase Rd.

Respectively submitted,


Jane Ranley

Sewer Commission Board Clerk

RECEIVED & FILED

FEB 20 2018

**LUNENBURG TOWN
CLERK OFFICE**

Handout: Email dated 8/12/18 from T.Daniels