

NOV 20 2017

LUNENBURG TOWN
CLERK OFFICE

Minutes of 10/10/17 Sewer Commission meeting – DPW conference room -- 520 Chase Road
 Attendees: Chair, Joe Anderson, Vice-Chair, Carl Luck, Clerk, Joan Pease, Members, Troy Daniels, John Reynolds,
 Business Manager, Barb Lefebvre
 Guests: Bruce & Pam Millette, Deb Trumbull, John Mohamed

Called to order at 6:38 pm by Carl, in Joe's absence. Roll call attendance taken with John, Joan, Troy and Carl present.

APPOINTMENTS:

6:30pm – Bruce & Pam Millette, 189 Cross Rd Sewer Extension -- The Millettes handed out GIS printouts showing their property and sewer on Cross Road. The property is large enough to potentially sell some off, but they didn't know if sewer connection would be possible. It was confirmed that the property is not in the Sewer Service Area (SSA) and that it would take a vote at Town Meeting to expand the SSA. The Commission discussed the SC's development policy. The Millettes stated that their property will not perc and they had to install a tight tank for their house several years ago. Carl said the process is that if they can show it cannot perc and there is no other innovative answer at any location on the current lot, then sewer would be an answer. It was suggested that the Millettes could get copy of perc test done 12 years ago and check with Board of Health to see if still valid. It was noted that in a previous case that the SSA was extended, Whalom Drive-In, the Sewer Commission witnessed the perc testing. The Northfield case was also mentioned, here the SSA was not extended. Joan would want to see a map of how the land would be divided and show it cannot be serviced by a septic system. Commission advised that when Millettes obtain all documentation and map of possible lot division, the Sewer Commission would review the request but that they can also go directly to Town meeting with extension request but it would probably be better if the Sewer Commission supported the change.

7:00pm – Paul Patrick Casey, Flow Assessment – couldn't attend due to illness but can be at next meeting.

7:06pm – Joe Anderson arrived and took over chairing the meeting.

7:30pm – SWSS Quarterly update – Deb Trumbull & John Mohamed -- Deb provided handout of additional work done during September 2017. John R. asked about the mice problem and John M. said panel was repaired and covered. Carl asked about having spare pumps and other parts on hand as was proposed in July. John M. will obtain pricing on spare parts. John reported they will be cleaning the meter on Graham Street. Joan read list of action items from 6/27/17 and asked for updates. Deb reported Leominster Road outages corrected, block heater was replaced and Mass 1 needs 2 seals and a probe. Also, they will need to obtain spare Flygt pumps, spare seals, and transducers. Joan asked SWSS to get her a status on all spare parts, prices & when available. Deb (SWSS) will get that to her by end of week. Carl asked for a schedule/checklist of preventive maintenance. SWSS will do that. Commission asked about quarterly flow assessments at each meter and noted that the wording in the contract is vague concerning quarterly checks of flow meter data. Barb will add sending the quarterly flow reports to SWSS to her quarterly process. John M. meets with Jack R. weekly and gets updates on work/maintenance. Joe will ask Jack for updates on work. Deb said they want to be thorough in maintenance-whether specified in contract or not.

Announcements: Barb introduced Jane Ranley as new Minutes Clerk, noting her appointment was ratified by Selectmen on 10/3/17.

Joe noted we declined to attend the 10/10 BOS workshop on Boards and commissions being held tonight. Troy said that the workshop was rescheduled. November 14th workshop on Economic Development was rescheduled to November 21. Joe asked for workshop to be added to next agenda to determine who will attend from the Commission.

CURRENT BUSINESS:

DPW Systems update – Weston & Sampson Scope - Barb handed out Jack's forwarded email from Pat Cotton. Carl wants it made clear to Jack and Pat that Commission want to see the RFQ before they go out for quote. Only the manhole work has been approved by the Commission to proceed. Pat still needs to provide an updated scope for Task 2 before proceeding. Barb will follow up with Jack. 380 Electric Ave. Car Wash easement discussion – Joe updated Joan about discussion from the 10/3 meeting -no votes taken. Troy and Jack did research on unit cost. Joan suggested the Commission take a vote and settle it. Commission discussed whether we are being asked to compensate applicant for work that wasn't done or work that was already done at the owners expense, and whether the amount asked for is correct. Joan suggests that we come up with a figure that is fair and be done. Troy recalled at the meeting with lawyer that Dan paid for seeding done and that as long as town counsel feels it is documented well, he would be comfortable with going with Jack's estimate. John said he came up with same number as Jack's estimate. Joan asked what the total figure was asked for. Amount is \$13,870. Commission discussed process and reimbursing Dan for the amount, making sure it is well documented and whether the decision had to go before the BOS.

Motion: Joan P.

Second: Troy D.

That the Sewer Commission agreed to tell town attorney that the Commission would like to reimburse Dan Proctor \$13,870, based on documentation provided and whether any additional documentation is required, and further interviews of town employees. Do we have sufficient authority on our own or does it need to go to the Board of Selectman?

Discussion: None

Troy, Joan, John -yes, Joe, Carl – no.

Motion passed 3-2

Barb asked that the Commission review the motion of 9/12 that they'd received and needs to be finalized. Joan had no memory of saying that we would close discussion on modifying the privilege fee. All present agreed that we were not going to modify the privilege fee based on the revised usage figure. Discussion followed on whether or not we could revisit the privilege fee amount after the first year's usage is known. Troy and Carl had different opinions on what counsel said during office hours. Joe asked both Troy and Carl to reach out to counsel. Troy suggested we have counsel attend a meeting. Joe clarified that this motion of 9/12 that we are discussing was before the meeting that Troy and Carl had with counsel

on 9/25. John found it interesting that the privilege fee could be based on the usage after the first full year. That is additional info that he would have liked to have before voting on the previous motion to reimburse \$13,870. Joe clarified the motion to be approved. Troy was not there so he cannot weigh in. Barb read the current draft aloud: "motion that the Commission tell counsel that we will not modify the privilege fee but wish to pursue investigating the promises made to make it right and come up with a separate agreement from the privilege fee to reimburse the applicant. In addition, we request that the applicant and DPW to separately come up with lists, without consulting one another, from their memories of what was promised and not done, so the Commission can review the list to be used to determine the value and pursue with counsel how to go about reimbursing the applicant. John second. Vote unanimous." Okayed with all. Billing Outsourcing next steps—there is a meeting 10/15 at 10am at water dept, Barb, Troy & Carl will meet with April at Water District. Irrigation Meter Change—tabled. Grease Trap Regulation Compliance—Crossroads next steps – Barb reported that Counsel had responded via email but the Commission wanted time to review. Tabled to next meeting. 1st Tuesday report—all compliant. Commissioner's email of 8/12/17 – Troy wanted it stated in the minutes that he objected about how the Commission does contracts, does not agree with the SWSS contract or its order precedence and that there was another document tacked on to that contract which should have changed the order of precedence. No further discussion. Q1 Demand notices were sent out. If they had prior year delinquencies, there was an insert with the demand notices warning them that if it remained unpaid, it would go on their next tax bill. Commitment to Assessors of Privilege Fees FY 18 – 15 Oak Ave, 120 West St. – Barb reported that the Assessors have to sign off on what is put in the commitment for taxes. We have 2 so far, we'll have 2 more. Order 11 is for 15 Oak Ave. Order 12 is for 120 West. This will allow the Assessors to put the privilege fees on the tax bills. They were signed by board members. Meeting rescheduled discussion—Joan unable to get to rescheduled meetings due to family issues. Next meeting will be on the 31st (Halloween) as we have a quorum. All can meet except Barb & Joe. Special town meeting warrant discussion – November 28th. Commission has no warrant issues to introduce. That is also a meeting night. PACC may not be able to televise our meeting due to town meeting. Minutes—none. Commission signed off on invoices -Fitchburg \$12,150.40, KP Law \$119. In response to the inquiry, Barb emailed counsel on Highfield that the Commission wanted them to proceed and will check with KP Law on the status.

Business Manager Report—Jane Ranley is our new minute taker, here tonight. Welcome Jane. Public hearing for the Asian 5 Electric is on 10/23/17 regarding public parking lot and addition. Town Code book is now online under General By-laws. Joan asked if Commission meeting recordings could be put on the cloud. Barb will talk to IT and also noted that recordings are always available on the public drive here at the DPW, even if she is not in. Town Attorney Office hours will be Oct 16 3-7pm, Oct 30 2-6pm. Troy voiced concerns about members' different interpretations from these meetings and how it is communicated back to the full Commission. Joe agreed – with no quorum, no minutes. Joan reaffirmed that once the Commission has voted to proceed one way that people shouldn't go speak to counsel with their own agenda.

Member Agenda Inputs for Future Meetings – Joe wants to add an agenda item for first November meeting to discuss how to approach individual meetings with town counsel. Carl reminded the Commission that they would be meeting with April and also with Northern Data to discuss, possibly 10/17 or 10/18. Troy wants to be sure that no pricing will be discussed. Carl agreed that it was just to talk about scope of work. Notes will be taken and summary provided at the next meeting.

Public Comment – no.

Motion to adjourn: John Reynolds

Second: Troy D.

Adjourned at 8:46pm

Vote --Unanimous

Next meetings- Oct. 31 at 6:30 –Town Hall; 11/14, DPW; 11/21-Economic Development workshop; 11/28 Town Meeting and also Regular meeting at Town Hall.

Respectively submitted,


Jane Ranley, Board Clerk

Handouts - Millettes -GIS Printouts

SWSS – September Work Update