

Minutes of 12/5/17 Sewer Commission meeting –DPW Conference Room –520 Chase Road

Attendees: Vice-Chair, Carl Luck, Clerk, Joan Pease, Members, Troy Daniels, John Reynolds, Business Manager, Barb Lefebvre, DPW Director, Jack Rodriquez, Minutes Clerk, Jane Ranley
Absent: Chair, Joe Anderson
Guests: Aaron Koslowski, resident; Dan Proctor; Weston & Sampson: Pat Cotton, Steve Pedersen; Bob Ebersole, BOS liaison
Called to order at 6:30pm by Carl Luck, in Joe's absence.

APPOINTMENTS

6:30pm **Aaron Koslowski, 1790 Mass Ave, Lt 34-request for credit**- Aaron has a \$251 bill for last quarter and paid \$97 towards the bill. He called the Lunenburg Water Department regarding power-washing his boat and side of trailer. LWD said they would contact Sewer Dept. Aaron is asking for adjustment on last bill since he lives alone, is on Social Security and his bill was \$150 more than usual due to the power washing. John questioned if he has a water leak. Carl stated that in the regulations, an irrigation meter can be put in which would prove usage that does not enter the sewer system, but he would need to pay for it, which Aaron stated he cannot do. Carl asked if there was any motion for discussion on adjusting the bill but none were raised, so the bill stands.
Aaron became irate and stated he will only pay the \$97 and refuses to pay anymore.

There were no ANNOUNCEMENTS or PUBLIC COMMENT.

CURRENT BUSINESS

380 Electric Ave. Car Wash- Barb had contacted Town Counsel with Commission input on draft agreement but he had thought things were on hold after email Carl had sent. Commission reviewed past discussion on the offer to the Proctors and that the offer would not be tied to the privilege fee. Joan read the current draft proposal from counsel, the "Agreement between the Lunenburg Sewer Commission & the Proctors- Summary of Provisions". Dan asked about future review of the policy for assessing a privilege fee for the car wash. Carl replied that there wasn't a Title 5 available for a car wash but it was based on the estimate of usage given. Dan said he had no problem with the usage fee, but that the privilege fee is to pay down old debt. John suggested looking at policies, including privilege fees and irrigation meters. Troy agreed that there is a need to develop policies. Barb said that counsel will provide the requested agreement document. Troy pointed out that the only clarification needed is as to where the money comes from.

Motion: Joan P.

Second: Troy D.

To approve agreement between the Lunenburg Sewer Commission and the Proctors "Summary of provisions" provided by town counsel with one modification, that the \$13,870 is not deducted from the privilege fee but is paid out of the Enterprise account to Dan Proctor, and he is assessed the entire privilege fee amount and will get a rebate from the Commission of \$13,870.

Discussion: Carl stated that counsel should word the summary as he chooses but the direction is clear. Troy wants the minutes should show that we do not want it tied to privilege fee. John reiterated that the reduction is not associated with the privilege fee and the updated draft should be sent to the Commission for approval. Joan would like a release signed by the Proctors after they receive the money.

Vote: 3 ayes, Carl – abstained

DPW Systems update-

Weston & Sampson-Draft DEP report, Pat Cotton and Steve Pedersen--Pat reported that the draft of the infiltration control plan was submitted 11/21. First section dealt with instances of sanitary sewer overflow over the past 10 years, of which there have been none, and looked at data from 3 large rainfall events. The next step was to look at I/I work done over the last 7 years and included: 2011 smoke testing on Graham Street and Leominster Rd; in 2014 searched for inflow through building inspection program; 2016 town wide inspection of manholes; and 2017 did flow isolation in Dana St. pump station area and searched sections of Elizabeth St. and Kirby Ave area for I/I. Steve P. stated that the report shows the DEP that Lunenburg has been proactive and continuing to work on issues. Pat continued with the next section concerning work on the connection fee, summary of rehabs done and scheduled pipe line rehabs in spring. Carl pointed out several issues with the report and several motions for changes were made as a result. Future plan is to do smoke test in sub-areas in town, inspect flood areas, inspect problem wet areas, and perform town wide flow metering. Troy asked if DEP offers any money to do this work and Pat replied that there are low interest loans and some grants. Commission reviewed the specifics in the report with Pat. Carl had a question about the figure of the combined I/I, of 435,000gpd and Pat expressed that he believed these estimates to be much too high by over 300,000 gpd and explained how his figures were obtained. Carl stated that this disconnect was much too big and had to be understood and in the meantime requested that the remainder of the 435,000gpd be listed under inflow section in a paragraph similar to the one under Infiltration to show that work was done.

Motion: Carl L.

Second: John R.

To put a section in for 2016 Town-wide Manhole Inspections under Inflow.

Discussion: None

Vote: Unanimous

Carl brought up discussion of the 6300gpd observed in the John St./Elizabeth area, and concern about the other 1440gpd found through TV line, report noting it as from an unknown source that were not included in the report nor was any statement made on next steps. Commission discussed the need to investigate and identify source and add to future work and agreed on adding the 1440gpd to the 2017 work on report.

Regarding the I/I sewer connection fee section, there is already an I/I fee that was implemented at the time Leominster put the same into practice.

Motion: Carl L.

Second: Joan P.

To change the wording to take credit for fee in place and note that we would implement a policy for usage greater than 15,000gpd.

Discussion: None

Vote: Unanimous

Task 1, Carl asked how the proposed 9 manholes were identified for repair. Pat replied that he looked at manholes in the Wright Pierce report that had these types of issues and selected the 9 that had the worst infiltration. In regards to Task 2, Carl questioned the cost/gal. and cost effectiveness for removing the I/I. Pat said this work met the criteria for repair as outlined by the State and that the defects that would deteriorate over time. John suggested to take Task 2 out of the report until Commission can discuss the cost effectiveness more.

Motion: John R.

Second: Joan P.

To remove the Task 2 from the report.

Vote: Unanimous

Plan; Carl expressed concerns that there was no time schedule for the planned activities. Pat indicated that this was not necessary. During the discussion several of the items noted under Rehabilitation Summary were in the future and should be included in the Plan and Schedule table. This was agreed.

Plan Priorities: Carl expressed concern about the proposed priority ranking. He took exception with having the Town wide metering as the last priority and actually felt this would be #1 using the pump stations as a good indicator. Due to lack of time (the report had to be submitted before the next scheduled meeting), and the input that we would not be locked into the priority ranking in the report, it was agreed to not change them at this time. Pat will make modifications to the report and Barb and Jack will review it prior to submittal.

Grease Trap Regulation Compliance – Crossroads – Barb read response from counsel from 12/4 and only option is to lien the property. Barb also said that Crossroads is not on the list that allows the permit to be revoked. Owner does not have a restaurant license because he is the landlord but the two renters are restaurants and they are compliant. Barb is still working with counsel as to what the Commission can do. Troy said he would not want to close the restaurants but wants to know what we can do to have the landlord comply.

Privilege fee Assessment \$199,340.08–Whalom Lux Apts (1 Rogers Way) – Applicant submitted request for occupancy on 11/29 and paid the \$80,200 as originally agreed. Sewer Commission needs to vote to assess the privilege fee so that these monies can be collected.

Motion: Joan P.

Second: Troy D.

Sewer Commission to vote to assess privilege fee for Building 1-Whalom Luxury Apts at 1 Rogers Way with \$55,340.08 to be paid prior to occupancy and \$4,800 to be paid annually over 30 years for a total of \$199,340.08.

Discussion: none

Vote: Unanimous

Economic Development Workshop 12/12 – Carl and Troy will go, Joan cannot commit due to family commitments. John cannot attend. Barb will check with Joe. Bob Ebersole, on behalf of the **Charter Review** Committee, reported that the Sewer Commission is in the charter and the Committee would like all town departments to review the Charter and make changes or comments. One area of concern is that it states that the Commission 'makes plans to sewer the entire town' which was the intent at that time but is no longer the case. Bob also suggested adding reference to the Sewer Use Plan in the Charter.. Another clarification they wish to address deals with Sewer, Cemetery & Parks and separating policy versus operations. Selectmen's section may be helpful. They would need responses in January or February. **Mass Municipal Association (MMA) annual workshop** – Carl would like to attend. Cost \$180 for entry and \$200 per room for a 2 day event. Troy also interested. Members agreed to reimburse for both Carl & Troy for attendance and split costs for rooms with BOS if Spouses attend.

Motion: John R.

Second: Joan P.

To pay for conference fee and half of the room fee for two people.

Vote: Unanimous

Minutes/Invoices/Action File Issues-Minutes 10/31, 11/14, Business Manager Report - tabled due to time constraints.

Motion: John R.

Second: Joan P.

To Adjourn: 8:42pm.

Vote: Unanimous

Next meetings- 1/9/18--6:30pm, DPW, 520 Chase Rd., 1/30 Town Hall

Respectively submitted,



Jane Ranley
Sewer Commission Board Clerk

RECEIVED & FILED

FEB 20 2018

LUNENBURG TOWN
CLERK OFFICE

Referenced documents on file:

Agreement between the Lunenburg Sewer Commission & the Proctors- Summary of Provisions