

**Minutes of 5/8/18 Sewer Commission meeting – DPW Building, 520 Chase Road**

Attendees: Clerk, Joan Pease, Members, Troy Daniels, John Reynolds, DPW Director, Jack Rodriquez, Business Manager, Barb Lefebvre, Minutes Clerk, Jane Ranley

Absent: Joe Anderson, Carl Luck

Guests: Bob Ebersole, Selectmen Liason, Peter Venuto for David Brambila, A&D Crossroads

Joan P. opened meeting at 6:30pm.

ANNOUNCEMENTS - none

**APPOINTMENTS –**

**Peter Venuto, representing David Brambila, Crossroads Plaza – contesting non-compliance fee** – Joan read Carl Luck's input from his email of 5/8/18 "Comments and Inputs" regarding Crossroads since he was unable to attend. Commission discussed the letters that had been sent to Crossroads regarding the fees. Peter replied that the building was permitted when Mr. Brambila purchased it and was compliant for 10 years until an inspection found the grease trap to be deficient. Barb confirmed that 6 certified letters, requesting a plan for meeting requirements, were sent starting in February 2016. Since there was no response from Mr. Brambila, fees were assessed from April 2016 until December 2016 when a plan was received. The total amount of fees assessed was \$ 5,825. Commission discussed the history of the fees, letters and actions taken. Peter agreed that Mr. Brambila should not have ignored the correspondence, but he has corrected the problem by installing a larger grease trap at a great expense. Peter added that the cost of the repair far exceeded the fee amount and does not think they should have to pay any further amount. The commission discussed options for settling the fee and all parties agreed to a one-time payment of \$1,000, payable immediately.

**Motion: John R.**

**Second: Troy D.**

**To reduce the fee for A & D Crossroads from \$5,825 to \$ 1,000 to be paid immediately and that fulfills their commitment to the penalty.**

**Vote: Unanimous**

Peter provided the check to the Town for \$1000 and left the meeting.

**John Londa, Lunenburg Schools – request for waiver-all schools** – Joan read Carl's input from his email of 5/8/18 "Comments and Inputs" regarding the Schools. John L. is asking for the Middle/High School to have a waiver for inspecting and cleaning out the internal grease traps every 6 months and the external interceptor to be cleaned annually. The grease traps have been routinely serviced and they have provided the data. July 2017 was the first time cleaned and it had 1" grease, well below the 25% rule. The Interceptor was pumped 7/11/17 and will be pumped again in July. The Commission reviewed the regulations pertaining to grease trap cleanings. Joan suggested John L. have it pumped in July and have the waiver request added to the Sewer Commission agenda for the 2nd July meeting. Regarding the primary schools, John L. is asking for a waiver to clean the grease traps every 6 months and there is no external interceptor. The grease traps will be cleaned in July and John L will come back to the 2<sup>nd</sup> July meeting to request waiver for the primary school also.

**7:30pm Pat Cotton, Weston & Sampson – DEP response to report of December 2017** – Joan read Carl's input from his email of 5/8/18 "Comments and Inputs" regarding the I/I Report and DEP response. Pat reported that the DEP has asked for more information, which they can supply. He said that DEP wants to have a more detailed look at the 2011 Flow Metering Report and Risk Assessment of Sanitary Sewer Overflow. He added that Lunenburg has not had any Sanitary Sewer Over-flow incident, so he will get clarification from the DEP. They also requested dates to be added to the projects listed in the DEP report and the Commission will get back to Pat with the priorities. Joan suggested waiting for Carl's input and it will be added to the next meeting's agenda. Pat said that there is still money in the budget for the responses and would not exceed the budget, including the rewriting of the I/I regulation.

**Motion: John R.**

**Second: Troy D.**

**To approve Weston Sampson to go up to the \$5000 budgeted amount if needed which will include a compliant DEP report and the rewriting of the I/I regulation.**

**Vote: Unanimous**

**CURRENT BUSINESS**

**Town Meeting recap–3 Budget articles and Tilton Ave inclusion in Sewer Service Area (SSA)** – Joan noted that all articles had passed.

**Minutes of 4/10/18** – no changes were made.

**Motion: John R.**

**Second: Troy D.**

**To approve the minutes for 4/10/18.**

**Vote: Unanimous**

**DPW Systems Update – discuss FY18 proposed work through fiscal year-end**, - Jack R. passed out a list of parts cost estimates from SWSS, which has a lead time of 9-12 weeks. The list contains pumps and supplies to cover all the stations, except Meadow woods which is a newer pump (2008). Jack will go ahead to work with SWSS on obtaining the parts. Joan read Carl's input from his email of 5/8/18 "Comments and Inputs" regarding I/I work. Jack noted that the specifications went out for Task 1 and figures are required by May 15<sup>th</sup> when he will need to finalize with the Town Manager concerning procurement. The work could be done late spring or in the fall. Joan continued to read Carl's inputs regarding future work on I/I activities including pump station data and Mass Ave manholes. The Commission and Jack agreed that these scopes of work should not come from the Commission.

**SWSS March report** -Jack said that he has seen improvements in the reports and there are no issues right now. John R. pointed out an open-ended issue on West Street listed on the report and Jack will ask for an update on the resolution.

**Open Meeting Law (OML) Complaint of 3/13/18 – appeal and Attorney General response** – Joan read Carl's input from his email of 5/8/18 "Comments and Inputs" regarding OML Complaint. Joan reported that she and Troy attended the OML training, but all committee members need to go to the training. She added that OML stresses that the municipality values transparency above efficiency. The public needs to see the agenda and hear all the discussion in an open meeting without any discussions happening outside of the open meeting. Commission discussed the OML training and violations. Troy said that it is disrespectful if he does not get all the information if discussions are done outside of a meeting and that he will not withdraw his appeal.

**Policy changes for May/June public hearings --Irrigation Meter policy change** – Joan read Carl's input from his email of 5/8/18 "Comments and Inputs" regarding Irrigation. Barb noted that manual meters should be added to the policy. Commission will wait until the Irrigation Meter representatives present at the next meeting before working on a draft update to the policy. **Grease Trap**

**Regulation change** – Joan wants to change the Grease Trap regulations in the Appendix to say that Barb will send out warnings once a month instead of every 2 weeks. Commission agreed to put this on a future agenda. **Grease Trap Regulation Compliance –**

**Hilltop Farm (1 Main St) request for waiver from Grease Trap Regulations-** Barb noted that the Board of Health advised that the market does not need a grease trap due to their current operation. Joan read Carl's input from his email of 5/8/18 "Comments and Inputs" regarding Hilltop Market. Commission discussed whether they need to remove the grease trap. All agreed that they are exempt from the Regulation and that the trap would not need to be removed.

**Motion: Troy D.**

**Second: John R.**

**That the request for the grease trap waiver be granted for Hilltop Market, operating as they are, and it is not necessary to remove the grease trap.**

**Vote: Unanimous**

Kim Chen, Whalom Kitchen appealing outstanding fine due for non-compliance –Barb received a letter from Kim Chen saying that they should not be responsible since it was not her non-compliance. Troy brought up issue of businesses changing names and saying they are not responsible for outstanding fees. Commission discussed the history of this fine and gave Barb permission to go to town counsel for assistance with response to both Richard Bursch as owner and Kim Chen as current tenant. Joan read Carl's input from his email of 5/8/18 "Comments and Inputs" regarding Whalom Kitchen.

**Motion: John R.**

**Second: Troy D.**

**That Barb, after speaking to counsel, will send a letter to the owner and manager, with counsel's recommendations.**

**Vote: Unanimous**

**First Tuesday report** – all compliant. **Business Manager Report – Invoices-**Fitchburg Water/Sewer invoice and KP Law for Highfield draft. **Update on Fitchburg Rate increase** – approved for 8% increase effective June 1, reflected in first invoice of new fiscal year.

**Grease Trap/Interceptor Annual permit renewals-** Barb is working on billing and will next work on the annual permit renewals. Joan noted that the Commission wants to review the non-compliance list at the next meeting. **Billing outsourcing update-** Barb would like to wait until August as previously discussed.

**Members Agenda Inputs for Future Meetings** – Reviewed agenda items requested throughout the meeting, adding Capital Plan and Policy. Joan read Carl's input from his email of 5/8/18 "Comments and Inputs" regarding future agenda items.

**Public Comment** – Joan said that she will miss Troy and appreciated his perspective. Barb and John thanked Troy for his contributions. Joan read a thank you to Troy from Carl and she added that she appreciates all Barb does and that it is ok for her to say no to requests to share information. Troy said that he has been concerned about the lack of policy and keeping rates artificially low for the sake of the capital plan. He also is concerned that the candidate nominated has not attended a sewer commission meeting and hopes that the nominee will realize the impact of work done on the Commission. He has enjoyed working with all.

**Motion: Troy D.**

**Second: John R.**

**To Adjourn: 8:59 pm.**

**Vote: Unanimous**

Respectfully submitted,

Jane Ranley

Sewer Commission Board Clerk

On file: Email from Carl Luck 5/8/18 –" Comments and Inputs"  
Email from Carl Luck 5/8/18 –" Re. Irrigation Meter Policy"  
Parts list from SWSS dated 5/7/18  
Hilltop Farms letter dated 4/16/18  
Whalom Kitchen Letter from Kim Chen dated 5/5/18