

Minutes of 10/29/19 Sewer Commission meeting- Town Hall, 2nd floor meeting room, 17 Main Street

Attendees: Chair- Joan Pease, Vice-Chair- Ryan Stober, Clerk- Carl Luck, Members: Dave MacDonald and Mike Nault, DPW Manager-Jack Rodriquez, Business Manager-Barb Lefebvre, Minutes Clerk- Jane Ranley
Guests: Scott Medeiros and Lauren Hertel (Woodward & Curran), Bruce Millette (189 Cross Road), Bill Hannigan (Hannigan Engineering)

Joan opened the meeting at 6:30 pm.

ANNOUNCEMENTS –The change to Irrigation the Meter policy went into effect 8/1/19 and all must comply with changes by July 2020 to stay in the program. The new annual \$50 fee will be added to upcoming invoices. Special Town Meeting will be 11/12 and the Sewer Commission will have 3 articles.

PUBLIC COMMENT - none

APPOINTMENTS -

Residents of 33 & 34 Elizabeth St. – I/I remediation – Letters were sent on 10/21 to residents at 33 & 34 Elizabeth St. The resident at 34 Elizabeth responded that they had replaced all their pipes, and anyone can come to investigate. There was no response from 33 Elizabeth St. The Commission discussed the use of a dye test to find which house is the source of I/I. Jack said that he did not think dye would be appropriate in this case but would be willing to talk to the residents. The Commission further discussed the laterals and using a camera, with the dye test. Barb noted that Pat (Weston & Sampson) had said that a special camera would be needed due to the angle of the lateral. Joan added that at a previous meeting, the Commission discussed adding this to the Woodward & Curran I/I investigation. Jack suggested the effort should be with looking at 33 Elizabeth St. and offered to talk to the residents to explain the situation.

Discussion of Small Water Services (SWSS) and Adherence to Contract – Adam Costa- Joan met with Adam (Town Counsel) to discuss SWSS's adherence to contract. He advised against withholding payments since it would be a breach of contract. Adam put together a letter to SWSS that could be sent relating to invoice discussion and meeting attendance. Barb confirmed that SWSS would be at the 11/19 Meeting. Commission discussed the letter and changing 'days' notice to 'hours' notice given and also their concerns about SWSS not attending the last meeting after they'd been given 5 weeks' notice. They agreed, after confirming that it was recommended by counsel, to have Barb instruct counsel to send the letter and that the intention of the letter is to get SWSS to come in for a discussion.

Motion: Carl L.

Second: Ryan S.

To send town counsel's letter to SWSS with the correction of days to hours.

Vote: Unanimous

Scott Medeiros and Lauren Hertel, Woodward & Curran – I/I 3rd party review contract – review & discussion-

Scott summarized that the contract scope will entail going through the large quantity of data for work done in past years, pull data into a compiled evaluation, re-evaluate the sheds and drainage areas, look at GIS data and make recommendations for future work to correct I/I. Carl added that Woodward & Curran will be taking the data from the pump stations and give the Commission a long term Excel tool to look at which areas contribute the most I/I, which may also indicate how reliable the meters are. Mike pointed out that they have paid a lot of money in the past for investigations and asked how they will evaluate the pump station data. Lauren replied that they will look at the catchment areas and at existing GIS data, to determine how accurate the data is. Scott added that they will start by looking at the whole town and drill down to pinpoint areas where problems are. The project will take 4 months and will not involve smoke testing. They will look at the billings for inflow and outflow, noting any anomalies for further investigation. Woodward & Curran will offer training and support in using the Excel tool. The Commission discussed the budget for the project, its cost effectiveness and what they will gain from the I/I review contract.

Motion: Ryan S.

Second: Carl L.

To sign the I/I 3rd Party contract with Woodward & Curran

Vote: Carl L., Joan P., Ryan S. and Mike N.- Aye. Dave M.- Nay.

The Commission signed the Woodward & Curran contract.

Bruce Millette/Bill Hannigan for 189 Cross Rd sewer extension and Sewer Service Area (SSA) expansion discussion – Bill passed out copies of a drawing, showing the SSA expansion to cover the existing house, which is 500 feet from the road. He added that the Millettes would like to sell the existing house, build a house on 2nd lot and sell the 3rd lot. Since it is a new section of sewer, Bill said it should be less concern for I/I and there is documentation to show that the whole property failed perc tests. The Commission discussed the perc testing on the lot and concerns about expanding sewer, that could encourage development. The Commission asked Bill to provide a letter, as an engineer, that the property will not support a septic. Bill will check on getting a copy of the DEP permit for the tight tank. Carl added that he supports extending the SSA but not to expand it any further than what is required to extend sewer to the house. The Commission discussed the Town Meeting warrant article and that it is for expanding the SSA to include the full parcel. Carl has concerns that to expand the SSA to allow increased lot development is in his opinion contrary to the intent of the Sewer Service Area. Commission noted that their own policy states that they intend neither control or enable development. Commission will present the article at Town Meeting. Bruce Millette explained the implications of extending sewer to only their home and discussion followed on when and how the land divisions could and should occur. Bill added that any land division will go through as an ANR and will meet zoning bylaws. It was noted that the Millettes were clear from the beginning that they wanted to divide the parcel. The Commissioners' concern is that the Millettes get approved to connect to sewer at Town Meeting. Dave would like Bill to make the presentation at town meeting.

Motion: Dave M.

Second: Mike N.

To approve the plan submitted by Bill Hannigan, with the discussion at town meeting, to discuss the lot formation of 3 lots presented tonight.

Discussion: Carl said that he cannot support anything beyond what is absolutely necessary.

Vote: Joan P., Dave M., Mike N. and Ryan S.-Aye. Carl- Nay.

Ryan and Joan will present the article at town meeting. Bill will try and attend Town Meeting as he has another obligation that evening. Discussion followed on the timing of putting stubs in and when privilege fees would be paid.

CURRENT BUSINESS -

Special Town Meeting – 11/12 – Articles- Barb summarized the 3 articles to be presented by the Commission. Article 3-correction to the motion from the Annual Town Meeting that shows the Reserve Capacity transfer of \$9,993. Article 4 –Moves Reserve Capacity funds to the Stabilization Fund. Article 8- to add 189 Cross Road to the Sewer Service Area.

Highfield Village- Final Sewer Allotment and Payment Agreement – Barb reported that the final agreement was approved, and payments should start in mid-November, which include interest. If the property is sold, they must pay the total in full.

Leominster IMA discussion- Barb noted that Adam (Town Counsel) will review this to give input on the next steps and the IMA does not expire until 2025. She will ask Adam's opinion regarding having further discussions in Executive Session.

101 Pleasant St – Barb reported that the property was divided off the Twin City Baptist lot and is not part of the Sewer Service Area. Before the property can be sold, the title will need to be cleared. Ryan added that the property has huge amount of environmental fines and discussion followed whether they could withhold their signatures because of those fines. Barb replied that Adam (Town Counsel) is asking the Commission to approve a partial release of the betterment lien.

Motion: Carl L.

Second: Ryan S.

To adopt the partial release for 101 Pleasant St. and authorize the chair or other member to sign on behalf of the Commission.

Vote: Unanimous

Joan will sign the release and have it notarized at Town Hall.

Grease Trap/Interceptor program Annual Permit renewal status – A&D Crossroads – Barb sent a certified letter about fees but has not heard back from A&D. Joan suggested that Barb send him a note that if not paid, his tenants will not have their victuallers license renewed.

Minutes- 10/15/19

Motion: Ryan S.

To accept the minutes for 10/15/19.

Second: Dave M.

Vote: Unanimous

Meeting rescheduling for November – Commission agreed the 11/5 meeting will not be necessary and will meet next on 11/19 at the DPW.

Business Manager Report – Fitchburg Usage Invoice for \$15,494.12. **Maintenance Plan-** Wright Pierce asked to come to the 11/19 meeting to discuss the draft proposal, but the Commission asked Barb to invite them to the first meeting in December instead and to request a copy of the draft ahead of time. **State Law Seminar** is on YouTube.

Letter from Greg Cucchiara – re. pro-rating of sewer charges. Joan asked for a volunteer to research the regulation for pro-rating and Dave said he will review it. The Commission will discuss it at the first December meeting.

Member Agenda Inputs for Future Meetings -

Public Comment- Dave announced that Nov 13th will be a celebration for all veterans at Devens Commons Center. Meal reservations can be made with the Salvation Army.

Motion: Ryan S.

To adjourn: 9:05pm

Second: Mike N.

Vote: Unanimous

Respectively submitted,


Jane L. Ranley
Minutes Clerk

Handouts:

Letter by Town Counsel regarding Small Water Systems Services

Updated engineering drawing for 189 Cross Road, provided by Bill Hannigan