

Minutes of 03/30/21 Sewer Commission meeting– via Zoom (Video Conference)

Attendees: Chair - Dave MacDonald, Vice-Chair - John Reynolds, Clerk - Brett Ramsden, Member: Carl Luck; DPW Director- Rob Oliva, Business Manager-Barb Lefebvre, Minutes Clerk- Jane Ranley

Absent: Mike Deveikis

Guests: Jamie Rheault (Whitman & Bingham) for 5 Chestnut St. appointment

Dave opened the meeting at 5:06 pm and did a roll call of attendees.

ANNOUNCEMENTS – Barb announced the results of the Town Caucus. The nominees for Sewer Commission are Mike Nault for 1-year term and Dave MacDonald for a 3-year term. Dave thanked Heather Sroka for nominating him at caucus and reminded all that there are still openings to run on the ballot.

PUBLIC COMMENT- none

APPOINTMENTS -

Rick Blanchflower, 5 Chestnut St. to expand the sewer service Area – Jamie Rheault (Whitman & Bingham) –

Jamie did a screen-share of the plans for the property and showed the area that they would like to have redistricted into the Sewer Service Area (SSA), to enable development in the future. They did a survey to flag the wetlands and dug 9 test pits. In each test pit, they hit ledge between 3-4 feet, so all the soil on the property is not suitable for septic systems. Jamie asked the Commission to confirm the area in the SSA. Rick Blanchflower has filled out a citizen's petition to get on the warrant for the Town Meeting and they are looking for support from the Commission to include the property in the SSA. Dave asked what the frontage is for the property and Jamie replied 152 feet. Rob said the land is developable but if it is ledge, they cannot build septic systems. Rob asked how many units they want to build, and Jamie replied one option is 10 lots with 4 condo units/lot, but they have other options too. John asked if the property was land-locked at one time. Jamie said the property was owned by the Paton family and always had the 152' frontage. Brett said he would like to see it included in SSA and asked if they have paid betterments over the past years. Barb replied they were assessed 1 betterment and if expanded, they would be assessed additional ones. Carl noted in 2005, the Board of Selectmen were planning to sewer the whole town, but residents objected, feeling it would have a negative effect. The Commission had a Comprehensive Wastewater Master Plan done to establish the areas that needed sewer and determined that the front part of the property was developable, but had not wanted to enable the larger section in the back to be developed. The Commission discussed the history of the boundary line for the SSA in that area. Carl added he is strongly against adding it to the SSA as it would take a piece of property that is otherwise not developable and put 40 units on it. Jamie said they could test the section of the property near the road for a septic system, but no soil exists on the other side of the line to support septic systems. Brett asked to clarify that the Sewer Commission does not control population growth or construction, but whether a property can be added to the sewer system. Jamie said they would still need to ask for an extension for a single house as it would need to be placed further back to where the property is 175 feet wide to meet zoning requirements. Carl said he might support moving the SSA line back for 1 house, but a 40-unit condo complex would increase everyone's taxes. The Commission continued to discuss options for the property. Rob said if they allowed the extension, he would need to make sure they have capacity and Barb noted that it would flow to Leominster. Jamie clarified it would not be a 40B. John said he was concerned about capacity down the road and the town should be able to vote on it. The Commission reviewed the similar situation with the old Whalom Drive-In property that Unifil developed on Electric Ave. Carl read a section from the Sewer Commission's Regulations on development. Barb added that the property would need the Sewer Commission's vote to allow expansion of use in the SSA. Jamie said he will discuss the issue with Rob (DPW Director). The Commission did not take a vote, and the discussion will be added to the agenda for 4/13.

CURRENT BUSINESS -

183 Whalom Rd request for credit – Barb received a request from the residents to get some forgiveness on the large bill, which was due to a toilet leak, and added they are senior citizens. She said that they have paid the bill, but added that we don't usually make adjustments for a toilet leak since the flow has gone into the system and we pay for that flow. The Commission discussed the request, agreeing that it is a tough situation but now they are paying for all

flows, it would be a dangerous precedent. Barb said the residents are asking for a credit of \$816 and they usually pay the minimum amount. Brett suggested if they give a credit, they should at least receive the amount that Leominster is charging. Barb replied the cost to Leominster is \$331 and there was no adjustment made by the Water District. Carl suggested they create a policy to use going forward. Barb cautioned against giving credits and Dave asked for a motion.

Motion: John R.

Second: Carl L.

To not make an adjustment on the 183 Whalom Road bill.

Roll Call Vote: John-aye, Brett-aye, Carl-aye and Dave-aye.

19 Whalom Rd request for credit- Barb reported that this is a well customer and the standard charge for well customers is \$ 231.87/quarter. The standard charge was set many years ago and that there are no adjustments usually done. The customer is a 90-year-old woman who lives alone and is asking for an adjustment to the minimum charge. Barb added that there are 8 well customers in Lunenburg and noted that in Fitchburg, they give well customers an option to install a meter. The Commission discussed the request agreeing that it is another tough situation. Brett asked the cost for installing a meter and Barb estimated that it is at least \$1000. Carl suggested revisiting the policy and the minimum rate. Dave suggested, looking at the flat rate, that it could be based on number of people or a payment plan. Barb noted that the resident is asking to pay the \$107 minimum going forward. The Commission agreed to discuss a new policy and add it to the next agenda. Rob agreed it is a good idea to redo the policy, possibly based on size of the family. Barb will update the customer and add the policy to the next agenda. (John left the meeting.)

Fitchburg Sewer Use Ordinance changes- Brett and Dave will be meeting with Barb to discuss the changes.

Commitment approvals- Barb reported a correction for the amount of the **Q1 FY21 Quarterly Billing commitment**. The amount submitted was \$212,461.81 but the corrected figure is **\$222,461.81**.

Motion: Brett R.

Second: Carl L.

To approve the corrected numbers for the Q1 FY21 Billing Commitment.

Roll Call Vote: Brett-aye, Carl-aye and Dave-aye.

Q3 FY21 Quarterly Billing Commitment for \$247,910.73

Motion: Carl L.

Second: Brett R.

To approve the Q3 FY21 Quarterly Billing Commitment. Roll Call Vote: Carl-aye, Brett-aye and Dave-aye.

Minutes for 3/9/21

Motion: Brett R.

Second: Carl L.

To approve the minutes for 3/9/21.

Roll Call Vote: Brett-aye, Carl-aye and Dave-aye.

Business Manager Report –Barb reported that the **FY22 FinCom Budget presentation** on 3/11 went smoothly and there were no issues. Dave thanked Barb and Rob for their support, along with FinCom. He wished Terry, who will be leaving FinCom, well. **Maintenance Plan-** Barb and Rob met with Carl to discuss changes and Barb will be sending out an updated version for review. Carl added he appreciated Rob and Barb's time to discuss it. Rob added that it went well, that they based some decisions on compromise from both sides and that the end product will be good.

Invoices- Fitchburg- \$17,708.48 was reviewed. **Elizabeth St.-** Rob reported that he talked to Pat Cotton at Weston & Sampson regarding the I/I study they did and their recommendations. He will be reaching out to contractors that Pat recommended, to get some quotes for following the recommendations, such as to clean, camera, and seal leaking joints. Carl added that are 2 issues- the remediation of the pipe going down the street and the specific lateral that has 1,440 gallons per day (gpd) coming from a residence. Rob said the report noted 3 or 4 pipes were leaking at the service connection, which are different from the one that Carl referred to. Carl clarified that it is a homeowner issue because it is beyond the lateral. The I/I inflow is 1,400gpd, costing \$3-5K per year. The homeowner needs to fix it or disconnect the lateral and there may be clay pipes in that area. Legal had identified a 5-step process and the Sewer

Commission needs to decide what to do next. Dave asked for an update on John Esposito. Rob replied John is working on finding a new surveyor.

Member Agenda Inputs for Future Meetings/Counsel Hours – Elizabeth Street- Barb will send legal's letter out to the Commission. She said the question is whether the Commission will pay for it or go after homeowner. Rob noted that the Main cannot be camera'd unless they have access to the home, and they would need to dig up the main. This is why they need to get the homeowner involved. Rob will also discuss options with the contractors. Carl added he found the letter from legal and will send it to Commissioners. Dave asked to add to the agenda looking into Federal grants for fixing the Leominster area. Dave suggested adding the pool filling policy to the website.

Public Comment – Carl asked Barb to send the flows for the algorithm. He also suggested going back to 7pm when they return to in person meetings, to allow the public to participate in public comments.

UPCOMING SCHEDULED SEWER COMMISSION ACTIVITIES:

April 13, 2021 @ 5pm – Regular Meeting, Remote Participation

April 27, 2021 @ 5pm – Regular Meeting, Remote Participation

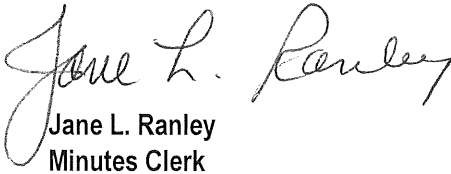
Motion: Brett R.

To adjourn at 6:37pm.

Second: Carl L.

Roll Call Vote: Brett-aye, Carl-aye and Dave-aye.

Respectively submitted,


Jane L. Ranley
Minutes Clerk

Handouts:

Sewer Regulations Development Policy(Article II-2(I) of the Sewer Use Regulations