

Minutes of 02/22/22 Sewer Commission meeting– via Zoom (Video Conference)

Attendees: Chair- Dave MacDonald, Vice-Chair- John Reynolds, Clerk- Brett Ramsden, Business Manager-Barb Lefebvre, Minutes Clerk- Jane Ranley

Absent: Mike Deveikis, Mike Nault and DPW Director- Rob Oliva

Dave opened the meeting at 6:10 pm. and did a roll call of attendees. The Commission began the meeting by saying the Pledge of Allegiance.

PUBLIC COMMENT- none

ANNOUNCEMENTS – Barb announced Rob Oliva (DPW Director) has submitted his letter of resignation, effective 3/11. The position has been posted and hopefully a good candidate will be found quickly. Barb noted the bills will be going out 2/23 and if anyone has not received their bill, they can contact her for a copy. Dave wished Rob the best of luck and said he has been a great person to work with. The Commission will miss him and wish him well. Dave also wanted to say hi to Bill, a former Lunenburg resident who watches the sewer meetings in Rhode Island.

CURRENT BUSINESS -

FY23 Draft Sewer Budget discussion – Barb reported she had discussions with Rob concerning the figures for the Capital Plan (\$50K) and Engineering (\$30K). Rob was in favor of leaving them at those amounts and said if the total was not spent, it would go back into Retained Earnings. The FY23 Budget did not change, except Barb added columns to show figures for potential 6% and 8% increases. Barb noted the deficit would be \$404K with a 3% increase and would decrease to \$353,900 with the 8% increase. Dave asked for a vote on the 8% rate increase.

Motion: John R.

Second: Brett R.

To accept the 8% increase.

Discussion: John said the 8% increase is necessary and suggested discussing an annual 2% increase for the next few years. Brett and Dave agreed. Barb noted she is in favor of the 8% increase and the increase would be about \$10-\$15/quarter for each ratepayer. The current rate of \$12.65 per 100cf would increase to \$13.66.

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

Grease Trap Annual Permit Fees -Barb stated the figure of \$3,650 for Grease Trap Permit Fees was based on assessing an annual permit fee to only those accounts who are in non-compliance. Barb asked for the Commission's approval by vote. The annual fees would be \$350 for an internal and \$650 for external traps. The Commission discussed and agreed to charge fees to only those non-compliant. Dave suggested they could charge those non-compliant at a higher rate and noted many towns charge \$1,000 or more. John agreed as long as the Commission follows through. Dave recommended increasing the non-compliant fees to \$500 internal grease trap and \$1,000 for external interceptor. The Commission discussed the difference between the internal and external traps. Barb noted it is more costly to have the external traps cleaned. She asked the Commission to not increase the fees until they change the policy and the Commission agreed. Dave suggested sending letters to all establishments, noting no fees if compliant and if non-compliant, they will pay fees. All agreed.

Motion: John R.

Second: Brett R.

To drop the Annual Grease Trap fees for those clients that are in compliance for FY23.

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

Motion: John R.

Second: Brett R.

For those clients who are not in compliance, the fee will be \$350 for internal grease traps and \$650 for external grease traps.

Dave asked to amend the motion to:

For those clients who are not in compliance, per the Lunenburg Grease Trap Regulations, the fee will be \$350 for internal grease traps and \$650 for external grease traps for FY23. John agreed to amend it.

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

Policies/Bylaws changes status for Spring Town Meeting- Barb reported Heather (Town Manager) requested Committees submit any by-law changes ASAP. Barb will confirm with Town Counsel that if they submit the changes to the Bylaw Committee, that they would all be handled together and will ask Counsel for help on the wording.

Policies

DEP requirement - all agree to remove it.

Drain layers notary stamp requirement – all agreed to remove it as long as Counsel agrees.

Prorating the bills for ownership changes and new connections – Currently there is no prorating, and the minimum charge is \$107. Barb suggested a monthly minimum charge, and all agreed.

Wells- Barb noted the charge is based on 1,833 cubic feet and has been in place since the start. She also verified Fitchburg's charge is higher. Dave suggested leaving the policy as it is, and a user can come before the Commission if they have a hardship. John and Brett agreed. Barb asked if they wanted it written into the regulations, but the Commission agreed that they did not want to. The Commission agreed to leave the Wells policy as is.

Deduct Meter – Barb asked to add "the meter needs to be read in cubic feet" and all agreed.

Grease Trap Policy – Barb said that if they are changing the regulations, such as increasing fees, fines for dumping grease down the traps, inserting wording for when an owner would be responsible for reasonable costs of an inspection, they would need to put them into the regulations. Barb suggested the Commission could put this off and discuss with Counsel. Dave suggested meeting with the Lunenburg Board of Health and Jim Gareffi (Nashoba Board of Health) regarding grease trap policies. The Commission agreed to leave the policy as is and discuss it later.

Direct Connect – Barb stated if a resident is connecting directly to Fitchburg, they still need to come before the Commission. She needs to have counsel review the wording from the Fitchburg IMA regarding connecting directly and have it added to the regulations. Dave asked about the project on Leominster Shirley Road. Barb stated it is not in the Sewer Service Area and it will be connecting to Leominster. The Commission agreed with the language.

Change to Specs(pipe sizes, slope)- Rob will provide this information and all agreed to see the wording first.

Waivers- Barb stated there is nothing in the regulations to give Commission discretion on certain instances. She suggested adding wording to the Regulations that counsel had provided to the Commission several years ago giving the Commission the right for a waiver on certain regulations given certain conditions. The Commission agreed that there are times they need to do waivers.

Motion: John R.

Second: Brett R.

To accept all the policies except for the Change of Specs and the Grease Trap Policy.

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

By-laws

Easements – The Commission agreed to get Counsel's input on the easement by-law.

Hearings – Barb asked to go back to the standard requirement of holding 1 hearing for changes to the Regulations (currently at 2) and the Commission agreed.

SSA Expansion – Barb stated that counsel had weighed in on "the Commission's agreeing to recommend at Town Meeting an expansion of the Sewer Service Area, in no way approves any project as yet unrepresented to the Commission or the Town" and that they are 2 different issues. The Commission discussed and John said it would need to be carefully worded. Barb noted that she would get counsel to provide the wording. All said yes.

Sewer Commission – power to amend regulations - Barb said that counsel had noted that there was nothing in the Regulations stating the Commission had the power to amend the regulations and had confirmed that it should be added to the regulations. Barb will get the verbiage from Counsel and all agreed to add it.

Motion: Brett R.

Second: John R.

To vote on all 4 categories as discussed.

Discussion: John asked to clarify that they are voting to have Barb go ahead with the Counsel discussion. Barb added that they are voting on going to Counsel. Brett amended his motion.

To vote on bringing all 4 categories as discussed to Counsel.

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

Changes already approved

Fitchburg's Chapter 147- Barb stated the changes were already approved and have gone through the Sewer Commission, Counsel and Fitchburg. The Commission agreed to send them to the By-Law Review Committee.

Connection Policy -Dave said the re-connection fee of \$100 for any sewer work needing inspections is in place of the reconnection fee of \$1,000. The Commission previously approved this on 2/8/22 and agreed to bring it forward.

Grease Trap Annual Permit fee for non-compliant- The Commission agreed to bring it forward.

Motion: John R.

Second: Brett R.

To approve the 3 categories and go forward.

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

Annual Town Meeting Warrant articles – FY23 budget- Barb said that she will have the Town Meeting Warrant articles for discussion at the 3/8 meeting. Barb added there will be the normal 3 articles: Appropriations for the FY23 Budget, the 3% transfer to Capital Reserve and OPEB transfer. Dave asked Barb to send out a final budget with the 8% increase. He noted they will vote on the FY23 Budget at the 3/8/22 meeting and all agreed. Barb stated there may be 2 other articles- 1 to change the Regulations and 1 to update Bylaws, which she will discuss with Counsel. Barb added that one of the Bylaws is called Sewer Use and she would like to get it changed. The Bylaw was originally called the Sewer Districting By-Law or Sewer Bylaw, however it got into the Town Code as Sewer Use By-Law, but it does not touch on anything that is in the Sewer Use Regulations. Barb would like to get it fixed and also ask Counsel if the By-Law Committee will cover the By-Law update. The Commission will discuss the Warrant Articles on 3/8 and FinCom presentation will be 3/24.

Town Caucus on 3/14 – John Reynolds and Mike Nault's terms are up this year.

Assistant Business Manager 24 hr./week position – Barb reported HR is waiting on references and will be moving forward very quickly.

Minutes for 2/8/22- were tabled to the next meeting, since there was not a quorum of the 2/8 attendees present.

Business Manager Report – ARPA- Barb has asked Rob to provide suggested projects before he leaves, such as anything they can work on with Wright Pierce or SRF funding and will discuss it on 3/8. John suggested discussing Rob's ideas concerning the ARPA projects and Barb said that she asked Rob for his recommendations.

Upland/Eastern/White/Maple Parkway project- Barb reported the borings were done by Wright Pierce's subcontractor and they are waiting for report from Wright Pierce.

Invoices- Fitchburg Monthly Usage- \$16,462.90 and **Leominster Quarterly Usage-** \$116,648.83, which are based on the flow metering. Also Barb noted the Schools will be cleaning out their Grease Traps on 2/24.

Action Items- none

Public Comment- Dave thanked John and Brett for attending the meeting and commented they got a lot done.

UPCOMING SCHEDULED SEWER COMMISSION ACTIVITIES:

March 8, 2022 @ 6pm – Regular Meeting, Remote Participation

March 14, 2022 @ 6:30 – Town Caucus, LMHS

March 29, 2022 @ 6pm – Regular Meeting, Remote Participation

Dave noted the 3/29 meeting may be in person and they are working on in person/zoom meetings. He added they have a new hearing device system for Brett to try out at the Town Hall.

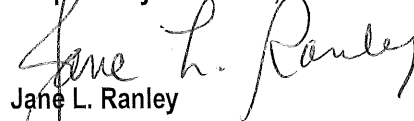
Motion: John R.

Second: Brett R.

To adjourn at 7:19 pm.

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

Respectfully submitted,


Jane L. Ranley
Minutes Clerk