

MINUTES
August 1, 2006

The regular meeting of the Board of Sewer Commissioners was called to order at 7:00 pm by Elaine Fiore. Members in attendance were Elaine Fiore, Peter Cobb and Sean Walsh.

Paul Fellini attended tonight to discuss the connection of property owned by Dan Galambos at 26 Wapping Road. Mr. Fellini review the history of the septic system upgrade that had been approved by the Board of Health and planned for installation until it became known that sewer service would be available soon. A revised connection plan was reviewed and Mr. Fellini proposed changing the original duplex pumps to 2 grinder pumps. They would discharge into the manhole at the pump station. Robert Masse, of CDM, has reviewed the plan and believes it would be possible to discharge directly to the pump chamber with a 2 inch forced main. No stub has been provided for such a connection but a 2 inch line could be provided when the pump station is installed. Mr. LaLiberte has said that this would be acceptable. Mr. Vandal suggested that they submit a revised connection plan reflecting the changes discussed tonight. He asked if there would be any industrial discharges at the site and the reply was that there would not. Mr. Vandal asked that he be notified immediately if there was any type of process discharge occupying space in the building.

Ms. Fiore reported that the State legislation has passed through the House and the Senate. The Governors office has reviewed it and asked about the reason the Board of Sewer Commissioners id asking for it. Once the reason was clarified for the Governor's office they did not expect that there would be any problem with the Governor signing it.

Elder Avenue and Spring Street will be done on August 5, 2006, which is this Saturday. Ms. Fiore said she would be on site that morning to answers questions for the residents.

MOTION, by Sean Walsh, seconded by Elaine Fiore, to pay the department bills and pay estimates for Albanese Brothers totaling \$227,284.93 and Revoli totaling \$605,756.41. The motion was unanimously voted.

Ms. Fiore asked if the Board had reviewed the Sewer Rates and Charges and if there were any questions or comments. The Board indicated that they approved of the document as presented.

MOTION, by Peter Cobb, seconded by Sean Walsh, to accept the Sewer Rates and Charges without changes and as prepared. The new rate will be effective August 2, 2006. The motion was unanimously voted.

John Moon attended to discuss the construction of a second building on the same parcel as the Butterfield Glass building on Pottle Street. The adjacent parcel is owned by

the same people and houses an auto shop. This parcel will continue to be used as it currently is used. Butterfield Glass does not use the capacity that it has been given. Ms. Fiore stated that 1 building would equal 1 Equivalent Residential Unit (ERU). Butterfield Glass is using the capacity for the lot. The Board does not have more capacity for an expansion on this parcel.

Mr. Moon asked if there was a fees structure for additional capacity if he were to request it. Ms. Fiore said that there was a possibility that there could be a plant expansion funded by a large development being proposed next to the train station. If they development does not fund an expansion then the people on the waiting list would have to pay for it. Right now there is a list of requests totaling about 100,000 gpd. CDM is working on a cost estimate now.

Mr. Moon stated that the Sewer Commission made them connect the repair shop on the adjacent parcel, which had a working Title V system. He asked why they were not allowed to continue using that system since it was working. Mr. Cobb replied that Title V states that if sewer goes by your property that you have to connect to it. The areas that were provided sewer were mandated to connect because they were environmentally sensitive areas. Mr. Moon asked if the properties on the waiting list were in environmentally sensitive areas or if they were strictly first come first served. Ms. Fiore stated that all of those on the list were first come first served. When Phase 2 is done and connected next spring of summer, more will be known regarding capacity. Ms. Fiore stated that she has asked the Zoning Board, Planning Board and Building Inspector to send people to the Sewer Commission first before they go through a lengthy approval process and then learn they cannot get the sewer capacity that they will need.

Mr. Moon then asked if they would be mandated to connect to sewer when the plant is expanded if they receive a permit from the Board of Health to install a septic system. The Board replied that they would have to apply to the Board of Health for a connection deferral to continue to use the septic system.

Mr. Moon asked if it were possible to demolish the Butterfield Glass building and build a new structure. Ms. Fiore stated that as long as the new building met the requirements of using no more than 330 gallons per day that the Board would have no objection. For now he should submit a plan of what they expect to build and an estimate of the expected flow so that they can be placed on the waiting list.

Arthur Wrightington attended to submit a Drain Layer Application for review. The Board reviewed all of the insurance certificates and reference information and found everything to be in order.

MOTION, by Sean Walsh, seconded by Elaine Fiore, to approve Arthur Wrightington for a Drain Layer License. The motion was unanimously voted.

A Drain Layer Application was reviewed for Commonwealth Excavation, Inc. All of the insurance certificates and references were in order.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to accept Commonwealth Excavation Inc. for a Drain Layer License. The motion was unanimously voted.

A letter from Jennifer Vaillancourt, 17 Cedar Street, was reviewed. She is requesting a reversal of the user fees billed to her because there was nobody living in the house, since an occupancy permit has not been issued yet. The final inspections of the electrical work and the grinder pump had not been done yet.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to waive the user fees for 17 Cedar Street totaling \$104.50. The motion was unanimously voted.

Mr. Cobb mentioned that there was a grinder pump delivered to a house in Phase 1 but that the pump is not on the property now and the house is empty and has not been connected yet. Records have been reviewed indicating that a delivery was made and that there was a contractor hired for the connection several years ago. The contractor has stated that they did not pick the pump up from the property. Discussion continued and decided that if and when this property is connected, the pump will have to be replaced at the expense of the homeowner. Once delivery is made it is not the responsibility of the Town to be sure it is secure.

Ms. Fiore suggested that any pumps that still remain unconnected from Phase 1 should be picked up by the Wastewater Department. Certified letters should be sent to the property owners stating that this will be done.

John Sullivan and Joe Kelleher represented the Sullivan Brothers auto dealership. They have plans to occupy the space formerly used by Mid-Cape Center on Summer Street. They said they understood that the sewer line would not be extended past the intersection with Tarkiln Road. A plan of the properties in the local area was reviewed. They indicated that they are interested in connecting to the sewer via the Kingsbury Club property by running a 3rd sewer connection across their lot and out onto Summer Street.

Ms. Fiore estimated that the flow estimate of 2100 gallons would cost them \$84,000.00 in betterment assessments/connection fees over 30 years. She asked if they had looked into a septic system and whether that would be more economical for them. Mr. Sullivan stated that it would not since they would be required to install a water recycling system to wash the cars, at a cost of about \$250,000.00. Ms. Fiore stated that a car wash was not mentioned in the original proposal. Mr. Sullivan stated that it would not be for public use but for detailing cars. They would have to work out an agreement for the easement across the Kingsbury property. Mr. Kelleher indicated that they had spoken with the owner already and that so far had received a favorable reaction to the idea. Mr. Sullivan estimated that they detail about 150 cars per month and that they use a high pressure spray hose, which should use about 3 gallons of water per car. Mr. Vandal asked about the dilution factor and asked for a copy of the information related to the composition of the detergent being used. Ms. Fiore asked that they look into the easement and then come back for final approval.

Lawrence Fogarty and John Cataldi attended to ask about a permit submitted to Paul Armstrong for 24 additional seats at Solstice. They received approval from the Planning Board in September 2005, The Zoning Board of Appeals and the Historic Commission in October 2005 and the Conservation Commission in March 2006. They said that Paul Armstrong provided a copy of the Board's comments to Tom Bott regarding their site plan. They would like an explanation of the comments. Ms. Fiore stated that due to the increase in flow to the wastewater treatment plant, by almost 1000 gpd, that a connection fee would be assessed to the change of use for the additional flow. The fee schedule changes every year. The fee for 3 more ERU's of service for calendar year 2006 would be paid over approximately 24 years remaining in the SRF loan term. The capacity for the additional seats was held on a waiting list for a maximum of 25 seats and no more.

Mr. Cataldi expressed opposition to the new user fees. He said he felt that the base rate of \$25.00 per quarter is unfair and illegal and if each user were to pay a higher base rate that his bill would be reduced by 10%.

Ms. Fiore asked that a Sewer Service Application and fee schedule be sent to Mr. Cataldi for him to fill out and return with the correct connection fee associated with the additional 3 ERU's of capacity. He asked that it be sent to Solstice at P.O. Box 307, Kingston, MA 02364. The Board will review the building permit and sign it if everything is in order.

The Board reviewed an abatement for 27 Chilton Avenue. This owner had 2 lots side by side. One lot has a house on it and one lot is vacant. The Building Department has determined that the vacant lot is not buildable/

MOTION, by Peter Cobb, seconded by Sean Walsh, to abate the betterment on 27 Chilton Avenue. The motion was unanimously voted.

A letter regarding L. Knife was reviewed. Representatives for L. Knife have met with the Board regarding a reduction of the number of ERU's they have been assessed for the business. They are currently assessed for 20 ERU's and have requested a reduction to 7 ERU's.

The Kingsbury Club is questioning the number of ERU's they have been assessed. They are currently assessed 32 ERU's as follows.

- 20 for lockers
- 2 for the dining area
- 3 for the pool
- 5 for the tennis courts
- 2 for the beauty salon

They believe they are being charged twice for the pool and tennis courts because they are calculated into the number of lockers. Mr. Cobb stated that most pools mandate showering before and after use and that is where the consumption estimates come from. The Board reviewed the request and did not feel that a change should be made. The betterment assessment will remain as is.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to approve the minutes as listed on the agenda. The motion was unanimously voted.

Minutes for June 20, July 19, Revoli Construction meeting of July 13 and 18 and the Special Meeting of July 18, 2006 were included on the agenda tonight.

The Board reviewed the Building Permit for Soltice and found it to be in agreement with the discussion of the addition of 24 more seats on the second floor of the building. The application was signed and will be returned to the Building Department.

MOTION, by Elaine Fiore, seconded by Sean Walsh, to adjourn the meeting at 8:20 p.m.

Suzanne Richards
Administrative Assistant