

MINUTES  
June 17, 2008

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

The Sewer Commissioners signed department bills totaling \$11,875.42, Inspection Invoices totaling \$360.00, a sewer bill adjustment for (\$202.88) and a memo to Tom Bott regarding the Independence Mall Cinemas expansion proposal.

Mark Beaton attended to ask the Board to reconsider their decision not to allow patio seating at the Charlie Horse Restaurant.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to reconsider the Charlie Horse expansion, to include patio seating. The motion was unanimously voted.

Mr. Beaton said he understood the Board's policy of not deviating from Title V. He said he would assure the Board that seating would be roped off inside the building when the patio was in use and he understood that the Board had reservations about allowing this. He stated that the Barretts and he personally had been in Kingston for 26+ years and they have always complied with the law. In regard to enforcement of roping off the inside seating, the Board should not assume that this privilege would be violated. There are 4 booths by the doorway and a 5<sup>th</sup> in a high traffic area that will not be in use when the patio is open. The restaurant doors are open 7 days a week if anyone wants to walk in to see that they are complying.

Mr. Cobb expressed his feeling that the Board did not feel that Mr. Beaton would not comply with the seating restriction, but that the next establishment down the line would be a problem to enforce. Mr. Beaton said he should be given the opportunity and if there is a violation then the occupancy permit should be revoked.

Ms. Fiore said other establishments such as Cancun or Royal Garden would also require monitoring if they proposed the same type of seating.

Mr. Beaton said that they will be happy to purchase additional units of flow when they become available. The Board should not assume that they will violate the seating restriction.

Mr. Cobb used sump pumps and grease traps as an example of enforcement problems the department has experienced. Seating could become another enforcement problem.

Ms. Fiore asked the Board for their opinions. Mr. Cobb and Mr. Walsh said they felt it was not an unreasonable request. Ms. Fiore asked what the Board would do if Cancun and Royal Garden asked for the same privilege. There was no specific reply.

MOTION, by Sean Walsh, seconded by Peter Cobb, to approve the proposal to allow the Charlie Horse to rope off 24 seats inside the restaurant when the 28 patio seats are in use. If there are any violations, the privilege will be revoked. Mr. Cobb and Mr.

Walsh voted in favor of the motion and Ms. Fiore voted against it. The motion was passed.

Brian Curran attended the meeting to review a building permit application for 16 Center Hill Road. The Brockton Area Multiservices Inc. organization is proposing to take a 3 bedroom, 1 bath house and convert it into a 4 bedroom, 2 bath house in order to accommodate 3 patients and an overnight supervisor at the group home. He said he understood the current sewer capacity is limited to 330 gallons per day. Ms. Fiore replied that the Board has been holding to what the assessors' field cards have the property listed as. This situation is similar to restaurant expansion. There is limited capacity that will be exceeded if the permit is approved. Mr. Cobb said that it was a small request, but every small request adds up. The Board said that they would discuss it and notify Mr. Curran tomorrow of their decision. Further discussion resulted in the Board agreeing that although a worthy request they have to be cautious allowing anything other than what the property card lists for the home if it already has 3 bedrooms.

MOTION, by Elaine Fiore, seconded by Peter Cobb, not to approve the building permit application for a 4<sup>th</sup> bedroom at 16 Center Hill Road. The motion was unanimously voted.

Mr. and Mrs. Kellar of 106 Main Street attended to ask about what can be done to reduce the road noise in front of their house. They have been complaining since 2005 about the road conditions. They have noise from 4 am to 12 midnight every day. They filed a complaint with Albanese and they have said that the Kellars should wait until the road work is done. The road is still not done. Ms. Fiore said that she had requested any information the Kellars have related to the sewer work. All of the sewer work is done. The current road work is the Water Department's project.

Mr. Cobb explained that Mass. Highway requires that a year must pass before final paving can be done. Mrs. Kellar said Mass. Highway had told her the paving would be done by June 2008. Now they are being told that the Water Department work has to be done first. Mr. Kellar said they understood that living on Main Street would mean traffic. Is there an end to the work in sight?

Ms. Fiore reviewed that it has been 3 years. The first year was the sewer work. The second year was the Water Department work. This is the third year and the paving for the water project has not been done yet. Mr. Vandal added that he noticed a dip in the road where the Gas Company has cut a trench across the road. Mr. Kellar commented that the Gas Company fixed the patch once but that it is still bad. Ms. Fiore continued that ideally Mass. Highway will repave the entire road. She asked if the dip were repaired if that would help the situation. The Kellars said that it would. Mrs. Kellar said that if the Water Department could get their trench patched that it would be a big help. Ms. Fiore stated again that the sewer work was done already and that the area was good. The Sewer Commission does not know when Mass. Highway will pave. Ms. Fiore said she would check into the schedule for the water project paving and see if the dip in the road can be patched also. She will call Mass. Highway to see if they have a schedule for Route 3A paving yet. She also mentioned that the Sewer Commission tried to coordinate the sewer and water projects to be done at the same time, but the Water Department did not want to do that.

Ms. Kellar provided some paperwork to Ms. Fiore and said that someone from Albanese had been out to see them. The only other person they ever met with, in response

to their complaints, was a Gas Company representative. Ms. Fiore said she would email Mrs. Kellar when she had any news.

Dan Sapir attended to see if there had been any news from Lloyd Geisinger regarding 1021 Kingston's Place. Ms. Fiore said that Mr. Geisinger had contacted her regarding an idea to get 3 estimates for 3 different proposals.

- Expand the existing plant
- Build a plant for 1021 Kingston's Place with MBR technology
- See if the current plant can operate by incorporating MBR technology into the expansion

Mr. Vandal stated that he had heard of MBR's being expensive to run but that he was not very familiar with this technology. Would the Town be taking control of a plant built by Mr. Geisinger? Will they pay for staffing a new plant? Who would permit the plant? There have no discharge site and cannot use the Town discharge site.

Ms. Fiore said she had been told that Weston and Sampson estimated their fee for the design of the plant expansion, based on CDM's scope, would be \$500,000.00. If 3 proposals are put out for estimates, CDM should be contacted to give their estimate for them as well.

There are some questions that need to be answered such as would it be beneficial to get the new MBR technology? It is said that they can be added incrementally to accommodate need as it occurs. Ms. Fiore has sent an email to Jeff Gould at DEP to see if there are any MBR plants in Massachusetts and if they work well. The Sewer Commission cannot assume that any home owner's association will pay for anything involved with operation and maintenance of a plant.

Mr. Sapir asked if the Board felt that Mr. Geisinger's attempt at pursuing other options again might push the project further into the future. Different engineering firms will be contacted about cost estimates for 3 different proposals. They could feel it is a waste of their time. The Board felt that Mr. Geisinger should decide how to spend his money but that if he does seek estimates for 3 options that CDM should submit an estimate as well. The Sewer Commission cannot afford to build a \$17,000,000.00 plant expansion. Even if Mr. Geisinger contributes \$10,000,000.00 the Board does not know where the additional \$7,000,000.00 would come from.

Ms. Fiore discussed the vacated BoCaTu restaurant. She spoke to Mr. Hynes, after meeting with the Board of Health, regarding splitting flow to sewer and septic on the same lot. Other Towns allow only sewer or septic on one lot. The Board of Health felt that was proper. Ms. Fiore told Mr. Hynes that the Sewer Commission does not approve of splitting flow. Mr. Hynes was not happy but he admitted that he could make a restaurant work on the site with only 85 seats. His profit margin would be better with more seats.

MOTION, by Elaine Fiore, seconded by Sean Walsh, that the Sewer Commission would support a Board of Health policy of one form of sewerage disposal per lot. There would be either a connection to the sewer or a septic system and that in the sewerred areas; lots should be connected to the sewer. Buildable lots would still be eligible for a septic system if approved by the Board of Health and sewer is not available. The motion was unanimously voted.

Financial Guidelines were distributed tonight. The Board should review them for discussion at a later meeting.

Cordage Seaport EIR documents were received today and will be available for review in the office.

A capacity application was received and approved for 22 Brook Street. The request will be added to the waiting list for future capacity.

Mr. Vandal reported that the sewer connection at 22 Tremont Street has to be traced back into the street because the lateral is pitched in the wrong direction. A water test indicates a significant problem. It should cost about the same to correct the lateral as it would to provide a grinder pump. In related problems, the Royal Garden problem seems to indicate that the engineers did not go on site to check the elevations and the 163 Summer Street apartment building lateral is level with the pipe coming from the building. Mr. Cobb commented that it seems there was a major miscalculation on the entire street. Mr. Vandal stated that he had attempted to contact Tom Morgan at CDM last week but that he has not received a reply.

The Riverside Drive pump station is still having problems. One pump ran for 22 hours over the weekend with no high level alarms and no low level alarms. The pump was pulled twice and there was nothing stuck in it. Something had to be telling it to pump.

Ms. Fiore said that she would contact Tom Morgan tomorrow about all of these issues.

MOTION, by Elaine Fiore, seconded by Sean Walsh, to adjourn to the Green Committee Meeting at 8:00 PM and not to return to the regular meeting. The motion was unanimously voted.

Suzanne Richards  
Administrative Assistant

#### Summary of Green Committee Discussion June 17, 2008

The Green Committee asked the Sewer Commission to let them know what their concerns were regarding siting a wind turbine at the Wastewater Treatment Facility (WWTF).

Elaine Fiore – The close proximity to the plant and transfer station is a major problem. For every positive aspect of a project like this there are negative factors found. We have found examples of gear problems, fiberglass splintering, blades shattering, and ice being thrown, to name a few.

Brian Spires – The Green Committee has spent considerable time and money on this site. The next process is to get an engineered plan for this site. The engineers would have to plan the project so it would be safe at this site. The Green Committee wants the Sewer Commission's support and needs their support to get more grant money. The Sewer Commission will be an integral part of the planning of this project. A large task will be the proper mitigation of safety hazards.

Peter Cobb – Whose set backs are being used for this project? It seems you would need a variance to use this site.

Mark Beaton – The Green Committee will listen to the engineers that do this for a living that come from U. Mass and MIT.

Brian Spires – The consultants know how to look at wind. The next round will use consultants that have much more technical qualifications. They will advise the Committee about what type and size of turbine can safely be used.

Peter Cobb – The turbine blades will circulate right over where the public will be. What is the real number regarding the distance the turbine should be away from these facilities?

Mark Beaton – At Mass. Maritime the blades go over the batting cage. If the turbine fell it could hit the pitchers mound or the power plant. A management company will monitor the turbine. These services will be contracted out.

Brian Spires – It is reasonable to think that development of a turbine can happen on this site. When looked at in more detail, if the proposal doesn't work then it won't be done.

Peter Cobb – Your own Feasibility Study even says it is not an ideal location.

Mike O'Meara – Originally the Committee wanted to place it where the power would be used. This is a moderate resource area. Wind shear issues need to be addressed during the design and purchase phase.

Peter Cobb – There are no other sites in Town that are better to use to get this away from the WWTF and Transfer Station?

Pine duBois – The Town doesn't own other land.

Peter Cobb – What about the Monk's Hill Tower? That is the highest area in Kingston. If proximity to a building is not critical then why not look at this site and other sites?

Brian Spires – We need to finish looking at this site and if it doesn't work then we will look at other sites.

Elaine Fiore – In order to look at other sites and get grant money, this site has to be ruled out? The Sewer Commission needs assurance that there is no possibility of any accidents happening and that people at the plant or Transfer Station cannot get hurt. At the Hull site, if a failure were to occur it would fall in the ocean or on a ball field. The other turbine was on top of a vacant hill.

Peter Cobb – I attended a soccer game at Hull. When the game started the turbine was stopped. During the game the turbine started up. Everyone stopped and turned around to see what the terrible whooshing noise was.

Brian Spires – The Committee needs to get grant money in order to hire a consultant to answer all of your questions.

Peter Cobb – The Hull projects were built with grant money and reserve money. They said it would have been very costly without funding. They didn't have to finance anything.

Mark Beaton – There are renewable energy credits of 2.5 million dollars out there.

Peter Cobb – Does this cover construction?

Pine duBois – No. The credits cover operation. The project will have to be bonded. There could be a positive cash flow of about \$500,000.00.

Mike O'Meara – We want this to be a safe project. IBEW and Hull have not shut down for icing although Mass. Maritime has.

Mark Beaton – There are 2 companies that insure turbines. Of 68,000 turbines they have never had a claim in the U.S. from pedestrians regarding icing.

Brian Spires – The plant would use 40% of the power generated.

Mike O’Meara – The original legislation would put power use at the WWTF.

Brian Spires – There is the potential to save a large sum of money on the transmission costs.

Elaine Fiore – If we assume current legislation only allows the WWTF to use energy from the project, would we have to buy it?

Brian Spires – If legislation does not pass the project will still see about \$180,000.00 in positive cash flow. The WWTF will still pay for their energy. Costs will be fixed.

Elaine Fiore – We have to know what these numbers mean to the sewer customers. Is there any benefit to our department to have this turbine on our site? Will the department get more benefit or less benefit of the cost savings?

Brian Spires and Mike O’Meara – When the time comes our committee would make recommendations on how to use the money. Is it better to stabilize the energy costs to the Town buildings? Will the money go to the General Fund? We hope not.

Pine duBois – The Committee should ask the Town to put up 5 MW of wind energy to cover the Town’s energy needs.

Brian Spires – We hope for the Sewer Commission’s support of our next energy grant application. If you want health and human safety issues and financial questions answered, then support the grant application.

Mark Beaton – A new Feasibility Study will be out on Thursday, June 19<sup>th</sup>. There are currently 3 discs available in our files that review information provided by Falmouth. Our new Feasibility Study will be the final report that gets submitted with the grant application.

Pine duBois – The Town needs another committee to review financial aspects of a project like this in Kingston.

The meeting concluded at approximately 8:45. The Board felt that their questions were not addressed and that the Committee was seeking support for their new grant rather than addressing the concerns of the Sewer Commission as they said they would when contacted about a meeting. The Sewer Commission is concerned that further monetary commitment and further study of the site will only put pressure on the Town to approve a potentially hazardous location for the turbine project. Other sites should be considered. Other issues such as low frequency noise and flash factor were not even addressed.

Suzanne Richards  
Administrative Assistant