

MINUTES
May 20, 2008

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

The first order of business was to reorganize the Sewer Commission as this was the first meeting held since the Town Election.

MOTION, by Peter Cobb, seconded by Sean Walsh, to nominate Elaine Fiore as Chair of the Board of Sewer Commissioners. The motion was approved by a unanimous vote.

MOTION, by Sean Walsh, seconded by Elaine Fiore, to nominate Peter Cobb as Vice-Chairman of the Board of Sewer Commissioners. The motion was approved by a unanimous vote.

A bill was approved for \$255.00 for a pumper truck at Hilltop Road during a power outage. The department will pay the bill and seek reimbursement from the School Department. Mr. Vandal did not feel it was appropriate to ask Bolduc to wait to be paid for his services. The Nextel bill totaling \$135.05 was approved and will be sent to Kevin Donovan for his approval. Regular Department bills totaling \$24,299.63 were approved as was a bill schedule for the Registry of Deeds for recording fees totaling \$152.00.

A letter to Mr. Owen on Blair Drive was reviewed and approved. The letter states that there is no capacity for a newly subdivided lot Mr. Owen owns.

MOTION, by Peter Cobb, seconded by Sean Walsh, to approve Atlas Construction as a drain layer. The motion was unanimously voted. Mr. Straub has completed sewer connections as All Site and there have been no complaints.

Ms. Fiore reviewed that the annual sewer capacity notice has been published in the Kingston Reporter and the Patriot Ledger. This must be done annually according to the Special Legislation that was passed, Chapter 250 of the Acts of 2006.

CDM sent Amendment #1 to the contract for the work to be done and funded by Thorndike Development. There was originally \$24,000.00 placed in an account for work associated with that project. CDM submitted Amendment #1 for work they had done to prepare Wind Turbine renderings for the Sewer Commissioners for use at Town Meeting. The Board did not agree that the Amendment should be funded with Thorndike funds. The Amendment will be funded from the engineering budget line item # 70440-52307.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to approve Amendment #1 to the Contract with CDM, to fund \$3800.00 for work done in relation to the Wind Turbine Article presented at the Annual Town Meeting. The funds will come from the department budget. The motion was unanimously voted.

The Sewer Commissioners discussed the requirements for finished basements and apartments. A letter should be written to Paul Armstrong asking about these requirements so that the Board will be knowledgeable in these matters.

Mr. Vandal discussed that the price of soda ash has gone from 14 cents per pound to 20 cents per pound. This material is ordered by tons at one time. Raising the septage dumping rate to 8 cents per gallon will keep Kingston at the middle range of the rates being charged in the area and will help raise revenue for added operating expenses.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to increase the fee being charged for septage dumping from 7 cents per gallon to 8 cents per gallon starting as of June 1, 2008. The motion was unanimously voted.

Kevin Hynes attended to discuss his interest in the former BoCaTu restaurant. The restaurant was permitted for 85 seats but Mr. Hynes stated that 85 seats will not cover the expenses he expects. He will need at least 115 to 120 seats to make the restaurant viable. He stated that Paul Armstrong (Building Inspector) has no problem allowing the extra seating as there is ample parking and the possibility of more parking at the house next to the restaurant. Mr. Hynes stated that he had been told that there is no sewer capacity available for additional seats. He has 2975 gallons per day and it was based on the occupancy permit at the time of the sewer assessment. He asked if there was a way to appeal this assessment. Ms. Fiore replied that there was no appeal available. DEP has issued a discharge permit license and the Town cannot violate the limit. Mr. Hynes stated that the water consumption history indicates that there is less usage than what the assessment allows. How does the Board base the capacity? Ms. Fiore explained that with the connection of Phase 2, the plant will be at capacity. The Board will not know until at least one year after all of Phase 2 is connected, whether the flow will exceed limits or be under the limits. Mr. Hynes questioned dual systems being used at RK Crossing for septic and sewer use on the same site. He was told that this method had been approved by the Sewer Commission and the Board of Health. Ms. Fiore confirmed that this was so and that they are on the list for more capacity when the plant is expanded. The Board is looking into expanding the plant but it will be years away. Mr. Hynes asked if the Board would consider the use of a septic system to handle flow from the kitchen and sewer for the flow from the rest rooms. Dual systems have been allowed at R.K. Crossing. The Board stated that R.K Crossing was a different situation because the units are all separate within one large building. The units on septic and the units on sewer are defined. It is not one unit splitting flow into 2 systems. Mr. Hynes said he would consult with the Board of Health about possibly installing a septic system on the site. The property owner said he would be willing to do so and that the former system had just been abandoned.

Mr. Vandal stated that he had met with Noll Electric regarding the power needs of the Hilltop Avenue pumping station. It is approximately 850 feet from the generator to the school and then another 100 feet or so into the building. The estimate for just the electrical work, not including excavation or conduits, was \$22,000.00. The Town might be able to have the Highway Department do the excavation and conduit work, but the wiring would have to be done by contract.

Mr. Vandal reported that there was still no answer regarding Riverside Drive. There have been no problems since Flygt came out, but they did not really correct the

problem. They tapped on the control unit. Ms. Fiore said she had spoken to Tom Morgan about it and that he said they were considering changing out the control panels,

Mr. Vandal also reported that new filter cloths for the disk filter need to be ordered. This will cost about \$15,000.00 to \$18,000.00 for 4 new cloths. Polymer prices are also up about 5 cents per pound and the fuel charge to deliver 4 drums has gone up to about \$90.00 for the fuel charge.

Harold and Mary Boutin met with the Board to discuss their sewer connection at 17 Hillcrest Road. A site review was done last Thursday. Based on the easement layout, the current easement would not cover the area where the Boutins want to connect. The practice in Phase 1 was to bring the stub to the property line. If that was not far enough then the property owner extended it where it was needed. If the Board were to bring the sewer stub to the far side of their house, it would require 2 new easements at an additional legal expense and added engineering costs. Mr. Boutin stated that the diagram they sent in located their connection at the far side of their house. He reviewed a diagram that indicated all the utilities that are located on their property. Mr. Cobb commented that if it were a public road then it would not be an added expense. Fred Nava had given an estimate, dated May 21, 2007, of \$2990.00 to bring it in 180 feet. This estimate is now one year old. Ms. Fiore said that the question is, does the Board go past the property line, when in Phase 1 and in Phase 2 the connections were only brought to the property line. Others have had to bring their connections in 400 feet or more to their homes. It would not be a burden to extend their connection 100 feet. Mrs. Boutin said she was frustrated that CDM had said that the stub should go to the far side of the house. Ms. Fiore said that the Board was trying to go by the book since the Town records regarding this street seem to be a gray area. The Town is not sure where the public road ends and the private road begins. Ms. Fiore's opinion was that the sewer stub should end at the property line.

MOTION, by Elaine Fiore, for discussion, seconded by Peter Cobb, to end the sewer stub line at the Boutin's property line. The motion for discussion was unanimously voted.

Mrs. Boutin said that if the sewer line came down on Susan Tellier's side of the road then it would not interfere with any of the trees. Mr. Boutin confirmed that it was 180 feet, as in Fred Nava's estimate, from the current stub to where they want to connect. Mr. Cobb and Mr. Walsh agreed that they would not mind helping out if it were not setting a precedent. Others have not been given the same advantage.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to end the sewer line at the Boutin's property line and that it will be extended to the far side of the house by the Boutins. The motion was unanimously voted.

Mrs. Boutin asked who would be responsible for the sewer line if something happens to it. Who will maintain the line? Mr. Vandal stated that the Town maintains the sewer lines up to the property line and that the Town will also maintain the grinder pump. There has only been 1 failure of such a line and that one was at the stub and was not repaired by the property owner. The sewer pipe will be 1 ¼ inches in diameter and about 4 feet deep. The Board expressed sympathy to the Boutins issues and stated that they need to be fair to all the sewer customers.

Doug and Maureen Buitenhuys attended to discuss their sewer connection at R2 Hillcrest Road. Mr. Buitenhuys said he was pleased to receive the letter from the Sewer Commission stating that the Board would bring the sewer to his property line. He said he

has spoken to 3 contractors that have all said that the pitch in the line has to be $\frac{1}{4}$ inch per foot. Extending the line 120 feet at $\frac{1}{4}$ inch per foot should bring the line to his property at 14 feet deep. T & M and Bianco have said they can get in by gravity. Mr. Vandal stated that Fred Nava was out there and measured the elevations and has said it cannot be done 14 feet deep. Mr. Buitenhuis said that Lenny Bianco has told him that he can get his connection in at 14 feet deep. Ms. Fiore stated that she had to shut down a job that Mr. Bianco was doing because he did not have the correct type of equipment to do it, on the site. She had to call in Nava as an emergency contractor. Mr. Buitenhuis said the sewer pipe on Hillcrest Road is at 18 feet but the stub is only at 16 feet. If the pipe is 14 feet at the property line then he will do the rest himself. If the Board can guaranty a depth of 14 feet then he will sign the easement. The letter said the Board will come deep enough to handle the first and second floor. Mr. Buitenhuis started to question the definition of first and second floors. Ms. Fiore interrupted to say that the letter specifically stated that the Board would not bring service to the basement and that the Board was not going to get into defining which floors are which. The Board will not give any one individual sewer customer something they have not given to other customers. Mr. Buitenhuis said he had measured and that his cesspool was 247.9 feet above sea level and the house was 256.4 feet above sea level. Mr. Vandal clarified that the manhole measures 17.2 feet deep and that the stub measures 11 feet deep. Robert Masse has said they would need to core the manhole to get in deeper. Mr. Cobb said that contractors bring the lines up in order to save customers the added expense of deep excavation. Mr. Buitenhuis said that Robert Masse said that the line would be deep enough for them to have a gravity service. Mr. Vandal said he would have to speak to someone about it tomorrow. Ms. Fiore added that the tie card indicates what there is to work with. If Fred Nava says he can get the line in at 14 feet deep then that is what will be done. If none of the house can be serviced by gravity then it will have to be a grinder pump. The sewer was designed and developed to service all of Hillcrest Road. If the main floors of the house can be gravity then that is what will be done. Mr. Buitenhuis then stated that if the line could be extended 10 feet past the tar then the line can be brought into his house without disturbing the driveway. The line will still be less than the 120 feet in the estimate. Mr. Buitenhuis then stated that Lenny Bianco had also told him that he could get the house serviced by gravity if the stub was only 11 feet deep. Mr. Vandal commented that Mr. Bianco does not use a laser level and it needs to be measured to know for sure. Mr. Bianco does not have a laser level.

Mr. Vandal reported that Robert Masse had reviewed the tie card for CVS and has no idea why they left the stub where it is at CVS. CDM needs to be contacted to see what happened and what can be done about it.

Mark Beaton met with the Board to discuss plans for a patio addition to the Charlie Horse restaurant. Mr. Beaton reviewed that he has 20 units of sewer capacity. He has plans to do a make over of the restaurant. He plans to install 54 solar voltaic panels to operate the cooling systems and an irrigation well to water the flowers. On the left of the restaurant they want to put in a patio with 7 umbrella tables that seat 28 people. This is an increase of 24 seats over the allowed capacity. There are also plans to put in a vegetable and herb garden. The patio will be used seasonally between June and September and possibly in May, weather permitting. Summer weekends are usually slow because people go to Plymouth to be near the ocean. They are hoping to generate more revenue with the patio on the weekends. Mr. Beaton provided water bills for the last year. He is allowed

6440 gallons per day (GPD) by Title V. They average 2500 GPD based on their actual water consumption numbers. They have been proactive installing low flow fixtures on everything in order to save on their sewer charges. They have done a lot to save on water use. Mr. Beaton asked for help from the Board to improve his service to his customers. Ms. Fiore asked if the patio seating would be seats moved from inside the restaurant or if they would be additional seats. Mr. Beaton said they would not be moving any seats outside. Except for Friday and Saturday, they are never at full capacity. With the irrigation well, they should be reducing their water consumption by 100,000 gallons per quarter. Ms. Fiore asked if Mr. Beaton had documentation of his low flow fixtures. Title V allows a buffer and bases the estimates on what would be needed to design a septic system. Title V does not consider actual usage in their estimates. Mr. Beaton estimated that the Charlie Horse is at 39% of their usage limit. Ms. Fiore continued that the Board follows DEP regulations. She would like to consult with DEP to see if there have been any changes or are any changes being considered. It would be a precedent for this Board to vary from Title V. Mr. Beaton reminded the Board that it would be seasonal use for only about 25% of the year. Mr. Cobb asked if DEP had any allowances for partial year use. Ms. Fiore stated that the Royal Garden had a similar use but that they took seats from the inside for use on the patio. She would like to consult with Jeff Gould about this matter. Mr. Cobb asked how something like this might affect others on the waiting list. The Board needs to find out if there is any part of Title V based on anything but 365 days per year use.

MOTION, by Peter Cobb, seconded by Sean Walsh, to authorize Elaine Fiore to contact DEP regarding seasonal use and that based on the discussion, if DEP does not have documented allowances based on flow and seasonal use, that a letter will be sent to deny the application for the additional seating request. The motion was unanimously voted.

A Building Permit Application for 395 Country Club Way was reviewed. The Board saw no issues with the proposed work except that the property card indicated a different number of bathrooms than the building layout shows. The application was approved.

MOTION, by Peter Cobb, seconded by Sean Walsh, to adjourn the meeting at 8:45 PM. The motion was unanimously voted.

Suzanne Richards
Administrative Assistant