



**TOWN OF KINGSTON**  
*Office of the Sewer Commission/Wastewater Department*  
26 Evergreen Street  
Kingston, MA 02364

781-585-4058  
781-585-5874 FAX

Elaine A. Fiore  
Peter C. Cobb  
Sean M. Walsh

Sewer Commission  
Meeting Minutes  
October 30, 2007  
Room 203, Town Hall

In attendance were Commissioners Elaine Fiore, Peter Cobb, Sean Walsh, Ken Vandal, Bob Monaghan, Kingston WWTP; Tom Morgan, Don Freeman CDM; Lloyd Geisinger, Kara Bouton, Thorndike Development; Jack O'Connell, Tata & Howard; Selectman Paul Gallagher; Dan Sapir, Kingston Observer.

7PM, Ms. Fiore called the meeting to order.

Mr. Derek Affsa, 77 Summer St., wants to rent the space formerly occupied by The Sugar Plum Bakery to a nail salon. After reviewing the information and floor plan provided, the Board decided that it was an even swap of flow from the Bakery to a nail salon use. Peter Cobb moved to accept the nail salon. Mr. Walsh seconded. All voted in favor.

Mr. Rick Biviano, Sunshine Stores 133 Main St. came in to discuss his proposed sewer connection and grease trap. The Board and Supt. Vandal reviewed the proposed grease removal system. Mr. Vandal said that the preferred grease trap systems have an automatic skimmer. Mr. Cobb said that we are trying to keep a standard. Mr. Biviano felt that the \$2900.00 system was excessive and probably overkill for an establishment such as his. Ms. Fiore said the Board was trying to protect the Treatment plant and that a system with an automatic skimmer was the minimum requirement for food service. Ms. Fiore said that we would help research the least expensive approved system available and call him.

7:15PM., Appointment with Lloyd Geisinger, CDM and Tata & Howard.

Introductions were made. Ms. Fiore began by saying that the Commissioners were looking to service the needs of Kingston's Place and expand the existing WWTP, as outlined in the signed agreement with Mr. Geisinger and Thorndike Development. Mr. Geisinger said to clarify that this meeting was to compare that the Tata & Howard costs reflected an apples to apples quote against CDM's proposal. Jack O'Connell gave a synopsis of his resume, holding a Master degree as an Environmental Engineer and having worked in this field for 32 years and for Tata & Howard for 11 years. Ms. Fiore asked if he had done any Wastewater treatment plants in Massachusetts. They had done plants in Milford, Eyre, Barre, and upgrade to Merrimack, MA. They did MBR plants in Bolton and for a 730 unit development in Hopkinton.

Ms. Fiore wanted to compare the scope documents. Mr. Freeman said that Tata & Howard attached their cover letter to CDM's scope of work and priced it at a third less. He said he suspected they will send it out to a vendor and send out the design and engineering work. CDM does not use vendors, they design specific to Kingston. Mr. Freeman felt that it was inconceivable that the plant could be doubled in size at the design price that Tata & Howard was quoting. He felt they did not even allow enough financing for the number of bid plans need for this project. Mr. Freeman noted that Tata & Howard actually only did two treatment plants. They do more MBR or packaging plants. It was noted that Tata & Howard also use part time resident engineers, where as CDM would dedicate one engineer to the project. Mr. O'Connell said that Tata & Howard wants to design the expansion for Thorndike and they can do it for the price they quoted. They are a small firm with 45 engineers on staff. They would like to meet with our plant operators and use their input on design. Ms. Fiore asked what work would they sub out and after design, how involved is the company and resident engineer? Mr. O'Connell said they use SMR Electrical in New Hampshire and that they may sub out some of the structural engineering. Mr. O'Connell said that they used part time resident engineers on their last three jobs. Resident observations can be cost efficient during construction. He said that there are times the resident engineer is not needed and would not be on site. Ms. Fiore asked why he thought that Tate & Howard's costs were so much lower than CDM's. He replied that they were a small company that specializes in small projects. They can chose not to do overseas work or work with MWRA. Mr. Geisinger said he was uneasy with this process. He said that CDM was a top notch company. Mr. Geisinger said that CDM costs were higher than he budgeted so he made some calls. Tata & Howard were given a reference by the firm that did the traffic studies for Thorndike Development. Horsley & Whitten provided a quote a little higher than Tata & Howard. Mr. Geisinger said he is writing the check for this and is having a hard time with the pricing. If we go with the alternative plan this is a moot point. Ms. Fiore said that from her experience with the Phase II construction, the lowest bid isn't always the best choice. The town had a police officer electrocuted by having to take the lowest bidder. It also creates more change orders and problems. We are over \$700,000 off in prices here. I do not know if a decision can be made tonight. Mr. Cobb stated if the design isn't accurate, there would be change orders during the construction phase. Mr. Geisinger said that CDM's proposal was made in a noncompetitive bid process. He would like to obtain other bids because of the gross discrepancies. Mr. Geisinger said he was not a great believer in taking the low bid. It was not his intent that Tata & Howard Design this.

Mr. Cobb asked if Mr. Geisinger was still considering building his own treatment plant as his "alternative plan". Mr. Geisinger met with Jeff Gould of DEP and spoke of Kingston Place being a "user" with their pretreatment plant sending effluent to the Kingston WWTP for discharge onto the Davis site. Kingston Place would pay a yearly user fee for discharge. Mr. Cobb asked if that wasn't because Kingston Place can not get their own discharge permit because it is a water resource overlay district and Thorndike would have to use the Town's discharge permit for their effluent. Mr. Geisinger agreed that was true but that yearly fees from Kingston Place would help offset user fees and that by building his own plant it would save space on the existing WWTP that the Town could use in the future. Mr. Freeman asked what would happen if the private plant does not meet permit? Mr. Geisinger said Kingston Place would be subject to fines imposed by the Town. Mr. Morgan said that Attleboro had a similar problem with a commercial user with fines resulting to the Town and the need for sewerage to be hauled out of town at the Town's expense. Mr. Geisinger said that each plant could have individual pipes running to individual leaching fields. His plant (200,000GPD in size) would be run by a multi million dollar

condominium corporation. We could install remote reading and monitoring equipment in their plant and they would post a bond. Mr. Freeman said that we are talking about different things. Separate leaching fields are different from pumping your effluent to WWTP to town owned fields. Mr. Cobb said the issue is that Thorndike cannot discharge to his own leach field because he cannot obtain a permit and has to use our permit. Ms. Fiore said the Board has issues with this plan because the Town is liable if the WWTP blows permit and we are not comfortable with the possibility of inheriting an aging private plant. Jack O'Connell said DEP requires an account for private plant maintenance. Ms. Fiore said that DEP has changed direction before and the Board needs to look out for the Town's interests for now and the future. Mr. Geisinger said that we have to look at the scale of this development. There will be a multimillion dollar condominium association that will manage the property overseeing the roads, plowing, trash and private sewer plant. He said he can't absorb the CDM cost estimates for the plant expansion. He's trying to meet his obligations to the Town and look at alternatives. Mr. Cobb said we need to determine where we are going with this project. Mr. Geisinger said he would like to do a private MBR packaging plant and build it incrementally to serve Kingston Place. Mr. Vandal asked if Kingston Place discharge would go to our effluent tanks. Mr. Geisinger said that the thought is to run a dual system. Thorndike would own the pipes and leaching fields, we would issue them a permit as a user, and they would pay us to discharge. CDM would expand the WWTP by 1 SBR and Tata & Howard would create a MBR plant for Kingston Place. Mr. Freeman suggests that there be a separate distribution box for each system. If Kingston Place plant deteriorates we will need to monitor ground water around the leach field. The Town would get the administrative order from DEP if there was a problem. Mr. Freeman suggests obtaining legal opinion regarding the Town's liability. Mr. Gallagher suggests that if there was a problem we could shut it down. Mr. Morgan said that DEP will not allow a disconnection of residential units.

Mr. Sapir asked if the Board was holding the developer to the MOU. Ms. Fiore said there is a signed MOU in place and we have not made any changes to that. Mr. Sapir asked if CDM was owed any monies by the developer. Mr. Cobb answered that all though no monies are owed, no design work is being done because there has been no funding to the engineering firm from the developer. Mr. Gallagher said through the chair to Mr. Sapir that the condo association could come to Town Meeting with a petition article and have the Town take over its roads, that right is the same for all residents. He said he could appreciate the developer not wanting to pay \$15 million, if the job can be done for \$10 million. Mr. Freeman said that the project is around 15 million for 2 SBRs and all associated work to accommodate the expansion, i.e. headworks, electrical, odor control, reconfiguring the existing plant office, ect. It is typical industry practice for engineering costs to be 8-10% of construction costs. CDM is around 7% consulting and engineering fees. He said CDM did a sheet by sheet cost analysis of this project and Mr. Morgan said they would be glad to go over a sheet by sheet cost lists with Tata & Howard.

Mr. Morgan asked if Kingston Place builds its own plant, is it possible that you would expand it? Mr. Geisinger replied yes, we have 32 acres at the Davis site. Mr. Freeman said it would be cheaper for Kingston Place to build their own. Ms. Fiore reiterated that Thorndike Development is still responsible for paying to expand our plant. She said that we have had a good discussion and that no decisions were going to be made tonight. Let's deliberate and meet again at a later date. The Board would like to meet with DEP and get their take on the situation.

Mr. Geisinger, Ms. Bouton and Mr. O'Connell left the meeting.

Mr. Freeman asked if they should start looking into the possibility of a 1021 building there own WWTP. Ms. Fiore said no. She said after the meeting with DEP the Board will weigh the pros and cons of both approaches and see what is best for the sewer customers and the town. Ms. Fiore stated no developer is going to tell the Board what direction to take when it comes to running the WWTP.

8:30 The Board bills, approved 2 Drain Layers licenses, signed the Schedule A-2, signed 2 lien releases, and letters. They reviewed the Abatement application for Map 38 -111. Mr. Cobb moved to deny the Abatement because the application came 4 years after the final betterment was issued. Mr Walsh seconded. The Board all voted in the affirmative. The Board agreed to send a letter to the homeowner allowing her to relinquish her rights to the sewer on Map 38 -111. Mr. Cobb moved to adjourn. Mr. Walsh seconded the motion.

8:55 Meeting Adjourned

Respectfully Submitted,  
Diane Poirier, clerk