



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

781-585-4058  
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Elaine A. Fiore  
Peter C. Cobb  
Thomas W. Taylor, II

Minutes  
April 20, 2010

The regular meeting of the Board of Sewer Commissioners was called to order at 7:00 PM by Elaine Fiore. Members attending tonight were Elaine Fiore, Peter Cobb and Thomas Taylor.

Richard Eldridge, Mark Beaton, Thomas Poulos (the property owner) and a 4<sup>th</sup> unidentified gentleman attended the meeting to discuss the installation of a commercial dishwasher and sinks at 42 Elm Street, for use by the intermittent function hall in the building. Mr. Beaton requested that he be allowed to install the dishwasher. He stated that they are permitted to use the Jones River Trading Company building for intermittent functions. The permit is for a maximum of 225 seats but generally there are between 150 and 180 seats per function. They currently have a 3-part sink that is used for rinsing dishes that are then transported to the Charlie Horse and run through the dishwasher. He stated that the installation of the dishwasher would reduce town water consumption by eliminating a 2-part dishwashing process. He calculated that the average quarterly consumption was 10,083 gallons or about 16% of what the current sewer allocation for 3 ERUs (990 gallons per day) allows for the building. The dishwasher would use 1.75 gallons of water per rack. The normal function would produce about 40 racks of dishes. They also allow some water for rinsing so it would take about 2.5 gallons of water per load/rack or 100 gallons per function. The unit is a low temperature, energy efficient model.

Mr. Cobb mentioned that function halls are usually inspected by the Board of Health because they have kitchens. Mr. Beaton stated that he was a licensed caterer. The Board of Health has approved of his proposal. The Jones River Trading Company uses a 40 foot catering trailer with a fully equipped kitchen for food preparation. The function hall is an intermittent use of the building. The building has a liquor license for functions and a building permit for operating as an intermittent function hall.

Ms. Fiore stated that when the property received sewer it was evaluated for sewer capacity based on the property card. Properties that exist as function halls are allocated sewer capacity accordingly. This property is listed as commercial warehouse/office. Mr. Armstrong was consulted with regarding this property and he stated that commercial warehouse/office was the primary use of the building. If dishwashers and sinks are installed there is potential for a change in use of the building to functions hall as the primary use. Title V currently allows 990 gallons per day (3 ERUs) of sewer flow as commercial warehouse/office. There is no capacity for a change in use of the building. Mr. Beaton replied that they are a catering hall



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and have been for 15 years. They have 50 weddings scheduled for this building this year. He reviewed that Mr. Eldridge was told that a grease trap would be required. The equipment was ordered and they thought they were all set. Ms. Fiore replied that the proposal had not come before the Sewer Commission. No decision had been made. The problem is that the property is listed as commercial warehouse/office. The original property card should have read office/function hall. A function hall of this size would require 3375 gallons per day (10.227 ERUs) according to Title V. The designation of the building is not a function hall. Mr. Beaton stated that he had spoken with Mr. Armstrong and they discussed that the designation should be similar to a church or movie theatre. Ms. Fiore restated that Mr. Armstrong has said that the installation of the dishwasher and sinks could be considered a change in the primary use. Mr. Beaton continued that they hold less than 1 function per week in the building. The Sewer Commission replied that the water use is currently not the issue. Sewer allocation is based on Title V. The Board needs to know what the proper designation of the building will be if the dishwasher and sinks are installed.

Mr. Eldridge said he received grease trap information for a Big Dipper and Title V lists from the Sewer Commission office and that he and Mr. Beaton did the calculations and thought they were OK to go. Ms. Poirier stated that she provided Mr. Eldridge with some grease trap information. Mrs. Richards replied that she spoke to Mr. Armstrong after Mr. Eldridge made his first visit to the office. When Mr. Eldridge returned on Friday she discussed the information she had received from Mr. Armstrong regarding the primary use of the building being commercial warehouse/office and that the installation of the dishwasher and sinks could change the primary use of the building. Mr. Eldridge was told that the Board would have to review it. Mr. Beaton stated that the equipment had been order by Friday. Mr. Eldridge said he spoke with Mr. Armstrong after his first visit to the office and that he was not told that the building was listed as commercial warehouse/office.

Ms. Fiore said the Board had a problem with the installation of the dishwasher because of the designation of the building. There is no addition capacity to give and there are others on the waiting list that would be offered any capacity that becomes available. The discussion ended that Mr. Beaton would look into the designation of the building.

Department bills were approved totaling \$43,518.46 and \$119.44 for a Nextel bill. A bill adjustment totaling \$123.50 was approved as well.

The Sewer Commissioners reviewed a letter from Mary Barrett Costello regarding a request to allow immediate use of the seasonal patio at the Charlie Horse Restaurant on a weather permitting basis. The Board reviewed and approved a letter allowing the use of the patio beginning April 20, 2010. The ending date of September 15<sup>th</sup> will remain the same unless a new request is received and



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approved. As per the original agreement, inside seating must be roped off when the patio is in use.

The Board returned to the 42 Elm Street function hall topic. Mr. Cobb suggested that perhaps an agreement should be made in writing which would limit the number of functions that could be held at this location. This would be difficult to monitor. The Board asked that the waiting list be reviewed for other similar kinds of uses. No other action was taken on this matter.

Ms. Fiore reviewed the status of some pending legal matters stating that the Indian Pond case is scheduled to be heard in court in November 2010, the Fried case is currently being reviewed by counsel and the Bankruptcy of the Inn at Plymouth Bay is also being reviewed for the Sewer Commission by town counsel.

Ms. Fiore discussed that she had received an inquiry regarding the amount of effluent flow that is generated by the Wastewater Treatment Facility (WWTF). Would it be possible to generate power using the effluent flow? Mr. Vandal stated that because the WWTF uses a batch process that the flow would not be constant but intermittent every 2 to 2.5 hours for about 1 hour. There may not be enough flow to make it useful.

Ms. Fiore reported that she had been contacted by Don Freeman of CDM to notify her that Tom Morgan is no longer working for CDM. Mr. Freeman has been told that Dave Young will be the new representative to Kingston. Mr. Freeman will confirm this and then schedule a time to introduce the new representative to the Sewer Commission.

The Board received a report that there might be illegal drainage connections to the sewer at 8 and 10 Chilton Avenue. Mr. Vandal has observed the properties from a distance but could not say there was anything illegal. It did look like drains went into the ground but they could go to a dry well. Letters will be sent to the property owners.

The annual capacity notice for the WWTF has been prepared and approved. It will be published in May. The current capacity available remains at zero gallons.

Mr. Vandal, Ms. Poirier and Mrs. Richards met with Paul Basler, Maureen Thomas and Paul Armstrong on April 12, 2010 to discuss possible solutions to the infiltration and inflow problem at the WWTF. Some suggestions for diverting sump pump flow were discussed but there were no concrete suggestions on how to solve the problem of sump pumps being connected to the sewer. There was some discussion regarding the Board of Selectmen having the power to permit the connection of sump pumps to the municipal storm drains. Some minor changes to the sump pump brochure and information sheet were made and have been implemented.

Mr. Vandal reviewed that 12 Cushman Drive has had the grinder pump core replaced three times since August 2009. A warning letter and information sheets for



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the tenants were supplied to the property owner but the problem still continues. Prohibited substances have been found in the pump when it was pulled for inspection and maintenance. A new letter was presented to the Board, approved and will be sent to the property owner immediately.

A grinder pump easement for 11 Leland Road was signed and will be recorded when the sewer connection is completed.

A letter was approved and will be sent to the DeMacedos regarding the betterment on a piece of vacant property they own. The matter is being reviewed by town counsel at this time. Further information will be provided when the Board receives a reply.

The Board discussed the Bog skating rink. This water/sewer account is now the second highest delinquent account. They are withholding payment of the bills pending their meeting with the Sewer Commission in anticipation that their bills will be reduced. They have never requested an abatement of these charges in writing. The Water Department will allow them to install a second water line for the ice rink and a second meter. Mr. Vandal reminded the Board that any revenue lost from a customer that does not get billed based on 100% of their water use must be made up by the remaining customers. The Bog was told up front that they would be billed based on 100% of their water use. If the Board were to allow them to install a second water line and meter, it would not mean that they would have any free capacity to be used for a second ice rink. The Board also questioned whether the Water Department would allow second water lines and meters for residential properties with irrigation systems if they allow the Bog a second water line and meter for the rink.

A building permit was reviewed and approved for 5 Mazzilli Avenue. The permit is for a 3 bedroom home and is within the capacity allowed to this property.

Ms. Poirier provided Ms. Fiore with a report of delinquent sewer charges. The Water Department will begin sending out shut off notices today to these customers. Ms. Joyce will be sending the Sewer Commission a copy of the aging report she receives from the Collector so it can be verified.

Mr. Vandal reported that the new sewer pumps should be installed at the Reed Building this week. The problem in the sewer pipe leading to the pump chamber has been found and corrected.

MOTION, by Elaine Fiore, seconded by Thomas Taylor, to adjourn the meeting at 8:25 PM. The motion was unanimously voted.

Suzanne Richards  
Administrative Assistant