

MINUTES
January 10, 2007

The regular 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.

At 7:15 Randall Deeran and James Licari met with the Board to discuss their application for a Drain Layer License. They asked what information the Board required before they would approve their application. Ms. Fiore stated that the only item that was missing from their application was customer references. There was no information provided indicating they have previous experience installing sewer lines or septic systems. Mr. Licari stated that they have extensive experience working with sewer lines in the Boston area and have worked with sewer ejector pumps, sump pumps and replacement of water and sewer lines. Ms. Fiore said they should forward the reference information to the office and once verified that the Board would review the application again.

Gary Langenbach attended to ask the Board for assistance with a damage claim he submitted to Revoli Construction. He is seeking reimbursement for a broken figurine that was on consignment in his antique shop on Summer Street, across from the Evergreen Street intersection. The damage occurred when Revoli was replacing the sewer main in front of the shop. During compaction, the item was knocked off of a shelf due to the vibration of the machine. He was told at the time that Revoli would send him a check for \$75.00 within 2 weeks. Revoli has since responded in writing that they want 3 appraisals, an insurance claim and a police report indicating the date the incident was reported before they will consider the claim. They also state that there was no heavy equipment working that day that could have caused the damage. Mr. Langenbach asked that the Board contact Mr. Masse to see if he can move the process along. Ms. Fiore said she would look into this further and send a letter to Mr. Langenbach to confirm tonight's discussion.

MOTION, by Sean Walsh, seconded by Peter Cobb, to approve the minutes of October 23, Nov. 21, Dec. 5 and 18 of the Sewer Commission and Nov. 21 and Dec. 7 construction meetings. The motion was unanimously voted.

The Board discussed advertising the Connection Inspector position again as they have only received 1 application so far. The position was posted in WEF and NEWEA back in December. The Board asked that the position be posted in the Patriot Ledger and the MPG newspapers as soon as possible. A tentative deadline date of February 15, 2007 was suggested.

A development plan was reviewed for 46 Summer Street, submitted by Bob Junior. Mr. Junior is proposing to add 3, 2 bedroom townhouse condominiums and a 4 bedroom single family home to the existing 3 condos at this address. As stated previously to Mr. Junior in 2004, the Board cannot approve the addition of these units to the municipal sewer system as there is no capacity available at the plant. A letter will be sent to Mr. Junior to confirm this decision.

The easement plan for a sewer connection for Sullivan Brother Toyota was reviewed as were comments from Robert Masse regarding the planned easement. Mr. Masse suggested that the manhole receiving the 3 sewer lines be a minimum of 5 feet in diameter and that the details of the sewer manhole installation, showing the connection of the 3 lines be forwarded to the Sewer Commission for review by Mr. Vandal. The Board approved the plan conditionally pending

receipt of the manhole details, the use of a 5 foot diameter manhole and review and approval of the details for the connection(s) by Mr. Vandal and/or Robert Masse. The written easement agreement will be reviewed and comments should be prepared for the meeting of January 24, 2007.

Ms. Fiore discussed the sewer overflow that occurred in the Grandview Avenue area on Christmas Eve. Remediation methods will be discussed with CDM on January 24, 2007. Ms. Fiore will also discuss the Plymouth Carver Aquifer Study with CDM on January 24, 2007.

Ms. Fiore reviewed the meeting with the Water Commissioners that was held last night. The Water Commissioners and the Sewer Commissioners decided that the proposed Smelt Brook disposal site cannot be recommended by either department until a joint meeting is held with DEP's water and sewer divisions, the Water Commission, Sewer Commission and Maureen Thomas. Mr. Vandal will work on setting a date for such a meeting.

The Board reviewed an application for an abatement of user fees for 21 Wharf Lane, Richard Savicky. Mr. Savicky consumed 119,000 gallons of water in the last quarter and has asked for his bill to be adjusted based on previous consumption history. He stated that this large consumption in the last 2 billing quarters was due to the need to water his newly planted lawn. The previous bill indicated 160,000 gallons of water was consumed, however, the sewer charge was only \$171.00 due to the flat rate billing. This past quarter was billed based on consumption. All customers were notified in advance of the change and public meeting were held to explain the change. If a one-time discount of 10% of the total consumption were approved the bill would be reduced by \$131.76. Mr. Savicky would still pay \$1199.86.

MOTION, by Sean Walsh, seconded by Peter Cobb, to approve a one-time discount of 10% of the consumption total for Mr. Savicky for outside watering. The motion was unanimously voted.

Linda Twohey met with the Board to discuss the relocation of Brian' Barber Shop from the Crossroads Liquor building to the strip mall next to the Exxon Station on Summer Street near the new pump station. She explained that the shop has 4 chairs but that there a usually only 2 chairs occupied and 2 barbers on duty. There are exceptions on some Saturdays. She provide consumption history for 2 years for the building she previously occupied and said the bill was split between the barber shop and the liquor store. Ms. Fiore explained that the problem was not the barber shop but the sewer capacity of the building they now occupy space in. The capacity from the previous location remains with that building. There is no extra capacity at the new location for the barber shop because of the amount of flow Title 5 requires for each chair. The building has been allocated 660 gallons as retail space. Ms. Twohey stated that she uses a maximum of 50 gallons per day if that much. She does not shampoo hair but mists hair with a spray bottle before cutting it. Ms. Fiore said she would like to visit the shop to see what is actually in use. Ms. Twohey continued that what distinguishes a barber shop from a beauty salon is the barber's pole. She must display either a pole or red and white striped decals on the window. By law she has to have a shampoo sink but it is not used. The shop is open daily except Sunday and Monday. Ms. Fiore said that she would like to review this further and render a decision on January 24th. She will speak to Henny Walters about the Title 5 inspection.

Mark Parquette had an appointment at 8:00 PM to discuss restrictive covenants placed on his garage at 5 Braintree Avenue. He stated he was confused by the agreement as his list of chronological events does not agree with the agreement he signed. He stated that on August 6, 2006 he applied to finish the upstairs of the garage and that he was given a verbal approval to start the work. The sign off page on that permit had no space for the Sewer Commission to sign off. He then presented a page that was signed and crossed out by the Sewer Commission. Mr. Cobb replied that he had signed the permit and then before delivering it to the building department had checked into the plans further and found there to plans for a kitchen and bath. He then crossed off his approval. Mr. Parquette continued that he understood he could proceed if he agreed to remove the kitchen. His attorney, John Wyman, drafted an agreement of restrictive

covenants. Town counsel reviewed the agreement and drafted a revised agreement. Changes were then made to the amount of time required to notify the occupant of a pending inspection from 24 hours to 72 hours. Mr. Parquette referred to a section of Mr. Wyman's revision of the agreement from Town Counsel referring to a full bath and full kitchen. The Board stated that this version was sent back to Mr. Wyman asking for further revisions in a letter dated October 24, 2006. Mr. Parquette signed the recorded version of the agreement on October 27, 2006. Ms. Fiore explained that it was always the intention of the Board that this would not be used as a living unit and would not contain a full kitchen or a full bath. Mr. Parquette continued that if the Board intended a partial bath it should have been stated as a partial bath. The Board pointed out that the agreement clearly stated a sink and toilet to be used as a powder room. Mr. Cobb stated that Mr. Parquette seemed to be arguing this detail so as to be allowed to put whatever he wants in this space. A bathroom could be added to a single family house, but this is a separate building and cannot be allowed to become a second living unit on one lot. Ms. Fiore added that the Board must strictly regulate sewer use in order to avoid being fined by DEP for violating the operating permit. Mr. Parquette then questioned why this would be considered another living unit as auxiliary buildings are allowed. Ms. Fiore said this is a separate living unit if a full bath is allowed. The intent of the Board is to restrict it being used as a separate unit. She advised Mr. Parquette to check with his lawyer if he felt he did not sign the agreement he felt he was signing. The conditions are clearly spelled out in the letter of reply to the agreement, asking for revisions, dated October 24, 2006. She asked if Mr. Parquette was suggesting that the Board replaced this page of the agreement when the document was recorded. Ms. Fiore stated that the Board has gone to the point of requiring all plumbing to be disconnected from a building in order to sell it. It is not the intent of the Board to require that all of the plumbing be removed from this building. The intent is to prevent exceeding the capacity of the wastewater treatment plant and being fined a significant amount of money by DEP. Mr. Cobb continued that this lot is zoned for a single family residence. The original building would have been a second residence on a single family lot. If the Board allows this to go through then other owners will want the same option. Mr. Parquette stated that the tub is already in the bathroom but that no sheetrock has been installed because he cannot get a permit to finish the work. The Board stated that they did not understand what the problem was in removing the tub if the room had not been finished. The Board's intentions for this bathroom were put in writing and are in the agreement that has been signed and recorded. Mr. Cobb stated he did not understand what use a shower would be in a building that could not be used as a living unit. Mr. Walsh agreed and suggested he remove the tub and put the sink and toilet in. That will be the end of the problem. Mr. Parquette asked if he was on the list for capacity should there be a plant expansion. He was told that he was on the list and that the Board would be meeting with the engineers on January 24, 2007 to discuss an expansion. The expansion would probably not be ready for at least 2 years.

MOTION, by Sean Walsh, seconded by Peter Cobb, to approve the bill adjustment for Louise Noyes-Balboni for \$73.20 for the period of time she was not connected to Town sewer. The motion was unanimously voted.

The Board reviewed a letter received from Winokur, Serkey and Rosenberg, regarding an abatement of the Boutin property on Hillcrest Road. They are scheduled to meet with the Board on January 24, 2007.

Ms. Fiore discussed contracting with Fred Nava & Son, to provide emergency repair services to the sewer lines. Ms. Fiore has spoken to Mr. Nava about this and he has agreed to provide service in an emergency and does not require a retainer.

Drain Layer applications were reviewed and signed as were the license cards to be provided to the Drain Layers.

The Board discussed grinder pump installations that require a cord longer than the standard 32 foot length. Some of the homes being connected have requested longer cords for

esthetic purposes only. The longer cords are more expensive. Prices from FR Mahony are \$42.00 for a 50-foot cord, \$85.00 for a 75-foot cord and \$129.00 for a 100-foot cord.

MOTION, by Peter Cobb, seconded by Elaine Fiore, to establish a policy for longer length cords. The cost of any cord in excess of the standard 32-foot length cord will be the responsibility of the homeowner. The motion was so voted.

The Board briefly discussed that there had been another revision to the Thorndike agreement. The revision of January 9, 2007 will be reviewed with CDM< on January 24, 2007.

Ms. Fiore reported that she had been told that Town Allocated Costs for the Sewer Commission/Wastewater Department would be reduced in the next fiscal year with the elimination of the rent for the Sewer Commission office. The accountant has now advised her that Town Allocated Costs have gone up \$40,000.00 as a result of the tax collector charging the department for services their office provides. Ms. Fiore said she was looking into having a scan line placed on bills so that they can be scanned by the bank. This would eliminate much of the work required for sewer/water bills as the bills would go directly to the bank for processing.

MOTION, by Sean Walsh, seconded by Elaine Fiore, to adjourn the meeting at 9:15 PM. The motion was unanimously voted.

Suzanne Richards
Administrative Assistant