

MINUTES
May 1, 2007

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

Ms. Fiore stated that she had been sworn in for another term as Sewer Commissioner and that the first order of business was to reorganize the Board of Sewer Commissioners for the next year of elected office.

MOTION, by Peter Cobb, to nominate Elaine Fiore as Chairman for another year. Elaine Fiore seconded his motion and both members voted in favor of the motion.

The Board briefly discussed sending letters to the Drain Layers regarding the department Rules and Regulations. Mr. Veracka will draft a letter for the Board to review.

A draft contract for the Connection Inspector was distributed for review by the next meeting on May 15, 2007. Mr. Veracka has been informed that liability insurance does not cover inspectors. He has obtained a \$5000.00 bond. Sole practitioners can obtain professional liability insurance for \$1,000,000.00 but that is not listed on the coverage schedule supplied by the Town Administrator. Ms. Fiore stated that she may contact Town Counsel for clarification of this matter.

Ms. Fiore reported that she had spoken to Robert Masse regarding the progress being made on the pump stations. Mr. Masse said that the pump stations are waiting on an electrician to do the wiring on the electrical panels.

Mr. Freeman has contacted Ms. Fiore regarding attending a meeting to discuss the sewer expansion and Mr. Geisinger's development plans. He will forward a list of dates he will be available to meet with the Sewer Commissioners.

The Sewer Commissioners signed department bills, sewer lien releases and grinder pump easements.

Bangna Gardens still has not provided grease trap records after numerous requests. Ms. Fiore suggested that another letter be sent stating the if the information was not provided that Mr. Vandal would conduct an inspection and report his findings to the Board of Sewer Commissioners. Ms. Fiore asked that a fees schedule be developed in order to allow the department to charge for such services.

An application for additional sewer capacity was received from Ken Anthony of 22 Wapping Road. Mr. Anthony has requested an additional 2 ERU's or 660 gallons per day for 2 new house lots he has pending approval. The request will be added to the list.

Joseph Calista has written to the Board stating that he plans to request an additional 27 ERU's of capacity for his vacant land on Elder Avenue and an additional 4 ERU's for a lot that currently houses a 2-family house and a garage/workshop building. These requests are already on the waiting list and will remain as listed.

Ms. Fiore discussed that the annual capacity report was due to be published before the end of the fiscal year. A notice will be sent to the Patriot Ledger requesting that the special legislation Chapter 250 of the Acts of 2006 and the notice of capacity be published by May 15, 2007.

The Board discussed the status of Hillcrest Road. Ms. Fiore has spoken to Town Counsel regarding 17 Hillcrest Road and counsel has stated their opinion is that this property does not abut

the sewer that is in the road. An easement can be taken to install a sewer line. If an abatement were approved it would require two recording fees to release the lien and then record it again once the sewer line is in place. Mr. Cobb questioned whether releasing the sewer betterment and abating it temporarily would take the capacity away from the property since there are other properties on a waiting list. Other questions discussed were: is it possible to remove a betterment from a property and then assess it again if the status of the dwelling and number of ERU's has not changed? If the contract has not been closed out yet, can the easement be taken and the sewer pipe installed before the contract is closed? Betterments can be charged before a service is available. It may not be necessary to abate the betterment if the service will still be provided. Ms. Fiore stated that she would contact Mark Reich at Kopelman and Paige about this matter again. A letter has already been written to Mary Boutin indicating that sewer service would be provided to them whether the road was private or public. A copy of this letter will be provided to Mr. Reich since the abatement was denied in the letter and service was guaranteed in the same letter dated March 28, 2007.

The Board discussed a site plan received for 68 Evergreen Street. The flow estimates should be based on the total square feet of the building, however, flow estimates provided by the developer are based only on occupied space and do not include the common areas as was done for all other buildings. The numbers based on office and retail space are questionable since tenants are unknown at this time. Doctors or dentists could alter the flow estimates drastically. Based on the plan it seems they are already exceeding the 660 gallon limit unless the entire building is used for office space only. A letter should be sent to the Planning Board referring to the capacity being limited to 660 gallons per day and that the occupation by tenants should be based on Title 5 flow estimates. Once 660 gallons have been used up no further occupation should be allowed. Additional capacity can be applied for.

The Board signed letters of reply to connection plans submitted by the Kingston Housing Authority/Graves Engineering and the Cumberland Farms, Exxon Station/Merrill Associates. More information was requested for the Exxon Station connection. There were no issues with the Kingston Housing Authority plan.

A building application was reviewed and signed for 17 West Avenue. The building will not increase the sewer needs.

A building application was reviewed and signed for one of the condos at 46 Summer Street. They proposed the addition of a half bath. This will not increase the current capacity required for the building.

The Board received a copy of a DEP review application submitted for Brian's Barber Shop. A deadline of April 23, 2007 had been set by the Sewer Commission for them to file this application. The Board will await the review and decision from DEP.

MOTION, by Peter Cobb, seconded by Elaine Fiore, to adjourn the meeting at 8:32 PM. The motion was so voted.

Suzanne Richards
Administrative Assistant