

MINUTES  
May 15, 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.

The first order of business was to nominate a member for Vice Chairman as this was not done at the last meeting.

MOTION, by Sean Walsh, seconded by Elaine Fiore, to nominate Peter Cobb as Vice Chairman of the Board of Sewer Commissioners. The motion was so voted.

Mr. and Mrs. Dumont met with the Board to discuss an ongoing problem with their betterment. They received a final assessment letter dated April 10, 2003 showing that have paid their estimated Phase 1 betterment in full. The remaining balance being assessed was \$5062.00. The Tax Collector has no proof of the payment and has not credited their account for the payment. The Dumonts do not have a copy of the Treasurers check that they purchased with a check they received from cashing in an investment account in order to pay off the estimated betterment. They paid the estimated betterment after making 3 payments of \$308.00 annually starting in 2000. The amount of the check was \$5236.00. In April 2003 they received a letter dated April 10, 2003 assessing the final betterment to their property. A total of \$6160.00 was shown as a credit to their account, leaving a balance due of \$5062.00. The Dumonts chose to apportion this balance to their tax bill and signed the letter and returned it to the Tax Collector. They have been told that Mr. Cole had been keeping betterment payment records in the Treasurers office at that time. The records were not always complete. Mr. Dumont stated that he objected to having to provide the proof of payment when the credit was shown on his assessment letter. He felt the Town should have to provide proof that it was not paid.

Ms. Fiore stated that since there was no proof that the payment was not paid, that the assessment letter should be considered to be correct and the account credited for the payment. The Sewer Commission will notify the Tax Collector to make the correction and will contact the Dumonts about the results of the notice.

MOTION, by Peter Cobb, to accept the assessment letter as correct. The credited amount of \$6160.00 consists of 3 payments of \$308.00 each and a lump sum payment of \$5236.00. The estimated Phase 1 betterment should be considered paid in full and the necessary account correction made. The remaining balance of \$5062.00 should be apportioned to the tax bill accordingly. The motion was so voted.

The Board signed department bills, CDM invoices and a special sewer bill commitment.

MOTION, by Elaine Fiore, seconded by Peter Cobb to go into Executive session to discuss pending litigation. The Board will return to regular business at the conclusion. The motion was unanimously voted.

MOTION, by Elaine Fiore, seconded by Peter Cobb to conclude the Executive Session and return to regular session. The motion was unanimously voted.

The Board reviewed and approved a memo that will be sent out to all Drain Layers with a copy of the department Rules and Regulations. They also discussed that anyone operating machinery should probably have a hydraulic license. It would probably be a good idea to send a memo out requesting proof of such a license.

Ms. Fiore reviewed the status of the estimated flow for Brian's Barber Shop and that the DEP has replied to their request for a reevaluation of their flow numbers by stating the Town of Kingston has the authority to evaluate their situation. The Sewer Commissioners would like the Board of Health to inspect the septic system and determine if they will allow its continued use until more capacity is available for the building. The Barber Shop should be contacted to file an application for additional flow.

MOTION, by Sean Walsh was, seconded by Peter Cobb, to send a letter to Brian's Barber Shop stating that the Sewer Commission stands with their decision to base their flow on current Title 5 rules and regulations, to request that they file an application for additional sewer capacity and to request that the Board of Health evaluate the continued use of the septic system, for the Barber Shop, once the building is connected to sewer. The motion was unanimously voted.

The Sewer Commission met with Don Freeman and Joe Laliberte of CDM and Lloyd Geisinger, Mike Fabbiano, and Kara Brewton of the Thorndike project to discuss how things will progress now that Town Meeting has approved the 40R zoning.

Mr. Geisinger stated that he had spoken to Kevin Donovan about funding the sewer expansion in 6 month increments. The escrow account for the 1021 Kingston's Place project is already established. All funds from the project will go into one account. The Town will be responsible for applying the funds to the appropriate departments. Mr. Cobb asked if the account was interest bearing but that detail was not known. Mr. Brewton said she believed the paper work for the zoning approval would be going out to the Attorney General on May 16, 2007. They have 90 days to approve the vote. Once approval of the vote has been received the Town would receive the \$600,000.00 within 60 days. Usually the Department of Housing and Community Development (DHCD) sends a check with the approval letter.

Mr. Freeman provided a memo from CDM dated May 10, 2007, outlining what Thorndike and the Town expect to be done. Thorndike will take the lead on the permitting process. CDM will oversee their work and provide comments to the Sewer Commission regarding the work. CDM would expect to review all of Thorndike's work before the Draft Environmental Impact Report (EIR) is submitted for review.

Thorndike would like to receive a conceptual plant design by June 2007. A cost estimate will be provided based on the new layout. The cost estimate will probably include 2 separate construction contracts and will include the design of the new facility. If the EIR is approved is approved in the summer of 2008 then construction of the first phase of the plant expansion would begin in the fall of 2008. It is too soon to predict a bidding date yet.

Mr. Geisinger stated that an expanded Environmental Notification Form (ENF) will be done because of the traffic and the new highway ramp being proposed. They hope to receive a Phase 1 waiver from MEPA for the ramp only. If they do not receive a waiver then the permitting process with Mass. Highway cannot begin until the EIR process is done. The goal is to submit the Draft EIR by the end of 2007 with replies expected to be returned by March 2008.

Mr. Freeman mentioned that CDM has 11 items that will be included in their scope or work for the expansion. Phasing of construction needs to be discussed. Each SBR would be built along with some of the ancillary items needed to complete the plant expansion. Phase 2 of the expansion would include the construction of a new headworks building that is needed for the development. It may be possible to build 1 large SBR instead of 2 small SBRs.

Mr. Geisinger mentioned that he would like to get a cost estimate to build everything up front. It might make sense to do all of the work at the same time if phasing construction will cost a significant amount more. Mr. Freeman felt the largest cost difference would be generated from an average 6% to 7% escalation in the cost of materials per year.

Mr. Vandal expressed concern with the construction of 1 large SBR instead of 2 small SBRs. There are a number of problems that could occur with process control. What would happen if the tank had to be taken down for maintenance? Where would the flow from the tank go?

Mr. Freeman discussed that the original EIR was approved in 1998 and included a discharge site for the Transfer Station area. There is no Groundwater Discharge Permit for this site. About 85% of the permitting work is hydro geological work, which has already been done. An application for the discharge permit has to be done and submitted. It could take another 6 months before the permit is approved. Mr. Freeman did not recall how long an EIR approval was good for but stated that the hydro geological work should never become invalid unless a significant draw on water should occur, such as a new well.

Mr. Geisinger mentioned that the information that is required to plan the plant layout should provide the information that is needed for the location of the leaching area(s). There is about 3.1 acres of potential leaching area outside of the transfer station area, on the opposite side of the proposed highway ramp and at the new entrance road for the transfer station and treatment facility. There are 14 acres of land available at the Davis site but only 7 acres are available for a leaching field. The remaining 7 acres must be maintained for conservation. Mr. Freeman commented that the 7 acres at the Davis site could provide 300,000 gallons or more of leaching. It might be possible to use 3.5 acres of space for 350,000 gallons of flow. If the testing results are the same as the Indian Pond disposal site then it could be possible to dispose of 700,000 gallons under ideal conditions. Thorndike will do testing at both discharge sites next month so the Board can make an informed decision on which site they want to build first. Any leaching areas outside of the original EIR would have to be included in the new EIR.

An article will be included at the fall Special Town Meeting for the new highway ramp. The Sewer Commission will seek funding approval for the plant expansion.

Mr. Freeman asked Mr. Geisinger for their peak flow estimates. Thorndike expects to bring 50,000 gallons online by 2009 and before the new headworks building is

built during Phase 2 of the expansion. The pump station at the development would be built and sized for full build out. If this station should come on at the same time as the other 2 major pump stations, the current headworks building would overflow. CDM would need to stage the timing of the new pump station or Thorndike would have to install temporary smaller pumps until the headworks is built.

Mr. Vandal discussed the need for a second disc filter or a new sand filter. He also asked that a different kind of diffusers be used in the new tanks.

Mr. Freeman reviewed that at this stage Phase 1 of the expansion would include at least 1 SBR, a gallery, 2 lockers rooms, an office space, a sludge holding tank, a second GBT, a blower room and an electrical room. The control room, housing the computers, would stay as is. The plant will probably need a new generator. The UV system was sized for reuse at the golf course. This probably should not be upgraded but if it is not it will result in the need for 2 separate effluent lines. The Board did not feel they should upgrade the UV system. Mr. Vandal mentioned that another option would be to install an ozone treatment feature ahead of the existing UV system. The ozone gets pumped into the water to clear it and disinfect it.

CDM will work on a conceptual plan for the plant expansion and on costs estimates. Thorndike will begin testing at the effluent sites.

Building permits were reviewed for 389 Country Club Way, 29 Maple Street and 6 Bay Farm Road. There were no issues with the permit for 389 Country Club Way. It was approved and signed. The permit for 29 Maple Street indicated a large space above a garage. The Board approved the permit conditional that the space above the garage was not used as living space. The permit for 6 Bay Farm Road indicated a large great room above the garage and an outside shower. The Board approved the permit conditional upon the space above the garage being used as a great room only and that the outside shower cannot be drained into the sewer system.

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

Suzanne Richards  
Administrative Assistant