



**TOWN OF LUNENBURG
SEWER COMMISSION
960 Mass. Ave.
LUNENBURG, MA. 01462**

*approved
5/27/10*

Minutes of March 25, 2010 Meeting held at Ritter Building:

Present: Steve DeBettencourt-Vice Chair, Carl Luck-Clerk, Bob Ebersole-member, Barb Lefebvre- Business Manager, DPW Director, Jack Rodriquez, Jay Simeone - Candidate for election.

Absent: Paula Bertram

Steve formally opened the meeting at 7:07 pm at the conclusion of the Budget workshop.

Lunenburg Village (Tom Houston (PSC), Dick Heaton (H&H Assoc.) – Tom Houston reviewed the copy of the memo that PSC provided the Commission prior to the last meeting on 3/10. Dick Heaton introduced himself as the 40B consultant, hired by the ZBA, to help them through the 40B process. He mentioned that Lorden wished to get the permits for the 40B before June 30. The plans were reviewed by all present, showing a system of on-premise E-one pumps and discussed that pipes would not be under the roadway. Jack noted that we would like Ramgren & Pleasantview considered for sewer hookup as part of this development, integrating the necessary road repair for these roads. Carl noted that the Commission's first choice would be to have it all gravity – no pumps, second choice – several pumps to 1 pump station, and thirdly, all these individual pumps requiring easements that our bylaw does not allow. Dick Heaton pointed out that 40B's can usually override the Town's bylaws. Tom agreed but stated that there is a lot of "horse-trading" with 40B's. Jack expressed that he also had major concerns with drainage. Dick noted that Lorden planned to initially present the development as condominium, and when about 80% is complete, to come before the Town to accept the roads & utilities as public. Power outages were a concern and discussion followed regarding the generators. It was discussed that we need a ruling – can this system be designed as gravity only and minimize the mechanical aspect of the system as much as possible. Tom Houston noted that the plan does also have forced main and gravity but the plans are not highly detailed as they are preliminary. He added that the type of system using individual home e-one pumps is generally used for private septic systems and that he would also prefer a pumping station. Jack agreed that less mechanics means less failures. Carl pointed out that our CWMP suggests use of E-one pumps in several areas for various reasons. It was noted that the current plan connects 53 homes down Whalom, 5 at Piedmont & 6 at Lesure and that one pump could handle that. Otherwise each homeowner would be responsible for each pump, or would it be the homeowners association? Discussed incorporating requirements for annual maintenance and inspections into condo documents. Jay inquired if the town would have to accept the system? It would be a Town meeting vote. Tom stated that the original project was twice as dense – was originally at 120 homes – now at 64. Applicant wants the town to accept the roads eventually – water department will maintain their own lines. Tom stated that a gravity main to 1 municipal pumping station option had not been explored. Tom noted that one issue is a sewer line crossing wetland which the applicant would like to avoid. Right now, it empties to a connection on Whalom Rd. Steve would like to see sewer installed, as part of this project, in the streets in serious need (Ramgren & Pleasantview). Jack re-stated there are stormwater issues.

Bob asked if there was a recommendation to the ZBA? Dick asked that we write a recommendation to the ZBA and tell them what is wanted. Carl needs more information on these low-pressure vs gravity systems. Also with these systems on homeowners land, we need to know where the responsibilities lay. Tom wants to address the issue of power outages and generators. Discussed the placement of the lines --within the right of way, or alongside? Applicant has them outside, in easements, running parallel to road. What happens if multiple owners' lines need to be flushed? Bob wants to look at total gravity and if it can it be done without a pump. **Bob made a motion to recommend to the ZBA to require gravity mains in the system, ideally without a pumping station. Carl seconded the motion. Discussion followed and vote taken on the motion was unanimous.** Jack asked what next, if engineering doesn't allow for all gravity? Question raised as to the timing of the 40B. Per Dick Heaton, public hearing was continued til April 14, then if hearing is closed, it would be 40 days from that date. This date can be extended if the applicant approves. Bob stated that, if Whitman & Bingham proves that all gravity system is not possible, that he'd prefer 1 pump station under Town control. Dick asked if the commission wanted applicant to come to their next meeting? Carl wants to gather all information before that occurs. Bob noted that the applicant did not propose a gravity system with a pump station and Tom stated that there were cost issues. Steve noted that a second motion needs to be made. Bob made an alternate motion – for a gravity system with pump station. Carl seconded for discussion only. Discussion followed on pump ownership switching from homeowners association to the Town. Also discussed was how the flow, created by the development, would occur whether the Town paid for the upkeep of a pump station or not. Carl stated he would vote "no" for an additional pump station and that it is not in the town's interest to have to bear the cost of another station. Bob agreed to withdraw his motion, Carl withdrew his 'second'. Dick asked again if applicant should come to a meeting and discuss the plans and Carl suggested that the Commission may need an extra meeting, but that they need to discuss some of the issues from this evening with their engineers. Tom said we should have an answer from Whitman & Bingham quickly. He would also like more details of the on-lot pumping facilities and the provisions for on-site storage for power outages. Dick stated 40B is only required to provide preliminary plans and applicant has provided a lot more information initially than required. Discussion followed of the concern for the costs of maintaining another pump station and whether it could be written into the condo documents that the association would maintain the station or pay the town an annual fee for its maintenance. Bob suggested that we wait until the next meeting when Paula would be back before making any decision. Dick stated that the Commission doesn't have to approve the design, only that sewer is available and that they also need to advise the ZBA of the fees to be charged. Commission noted that they needed to discuss this with their consultants before responding. Discussion followed regarding condos vs. single family homes and when the current connection charge policy was accepted. Tom referenced pg 8 of Sewer Use Regulations, asked that we respond to items 30, 31, 32 of his memo. Jack confirmed with the Commissioners that they are okay with him talking to Brian Milisci of W&B. Tom stated he could be here on April 14th and will also be prepared to discuss stormwater at that time.

Weston & Sampson (Fran Yanuskiewicz, Steve Pederson) –

Lunenburg Village Fran stated that the reason the applicant went with the low-pressure pumps is cost – it is a lot cheaper to install that system of 60+ E-ones than a pump station. Steve P. figured it is a 50 house breakpoint, to justify a pump station. Discussion followed of the benefits of pump stations over grinder pumps, as far as O&M costs for 20 years out. Of course, the homeowners bear the cost to repair the grinder pumps, and the Town to repair the pump station. But the issue of dealing with residents issues is another consideration. Steve wants the residents of this development to be treated fairly – they will also be Lunenburg residents. Installing grinder pumps is short-sighted to save capital costs but it is fairly common practice. Steve P noted that these E-one pumps are quite reliable, but the power outages since they run on electricity are another issue.

Betterment recommendations for Lunenburg Village – Per Fran, the assessment bylaw is clear. This property was assessed 2 betterments originally, and now must be assessed 62 additional, per Section 2 in the bylaw. They will need to pay a compensatory sewer privilege fee of \$11,551.47 per unit. The clause pertaining to sewer privilege fees, with the range of 0 – 100% is for a sewer extension only. Discussion followed as to whether this was a connection or an extension and Steve P. stated that this is clearly a connection.

Fitchburg IMA – Steve recounted their meeting with Joe Jordan on 3/22 and reviewed the key issues. Fitchburg is firm on the \$2000 per connection charge to be implemented. There may be wiggle room on the 4 hr. inspection fee that they would not be providing, which we would turn around and charge our residents for. Our new connection fee would then be \$2000. They have waived the I/I clause and fee. They currently charge new developments 2 gallons for every to cover I/I. Fitchburg's current rate is \$5.80 to us. They charge their residents \$4.15 and there has always been that \$1.65 delta. It has been penny for penny all along. Reviewed capital costs and the pay-as-you-go policy which is a plus. Only thing they insist on is the portion of our costs for the improvement of John Fitch Highway. Joe needs to have the flows (from the CWMP) and we will be charged the percentage of what their flow is to ours when the improvement cost is known, one time expense, to be spread over 20 years. Once agreed, we have basically purchased capacity and do not need the sunset clause. Reviewed Table 2-7 on page 2-19 from the CWMP. Was 258,500 before, now 251,800. Is that the number we will be going with? Current flow = 104,000 gpd, 25% contingency = 130,000, 2026 buildout is 258,500. We still have the right to shift flow to Leominster or Summer St, but costs to do so will not net any saving to the Town. As far as meter readings, they would like to have them, but will stick with our current method of water usage.

Tri-Town - Jack brought up conversations with Joe in regards to Tri-Town and how Fitchburg would like us to take over the billing. Their plan was to run a dedicated line from the project to Fitchburg line, running parallel, now propose we bypass the Youngs Rd manhole and take it down to Summer. Fitchburg determined that they would have no leverage on collection of bills. Discussion followed on the merits of taking on the billing – no benefit to us at all. Steve P. thought maybe we could reduce our overall rate of 5.80 in negotiation for taking it over. Other than that, our preference would be to resolve IMA first, and deal with Tri-Town later. Jack stated they are installing the pipes in a month, so we need to let them know. Steve D still has issues with JF Hwy. Fran stated it really was not a bad deal, not requiring a chunk of money for future capacity.

Bob Proctor extension – Commission discussed with Fran and Steve the request by Bob Proctor to extend sewer up to 7 properties, and whether it would be considered a betterment, compensatory privilege fee or for no charge, since Bob was laying the pipes. Jack added that this is a similar situation to Pleasantview. Fran made the suggestion that you take the figure from the CWMP for future growth and divide it by the 2.6 million held back from the betterment assessment, resulting in about \$2000 per home you could charge. Discussed the need for a policy to deal with this extension of sewer line – policy proposed would read something like "For the extension of sewer lines if paid by private enterprise will comply with policies and will be charged a general benefit fee of \$2000 at time of connection in addition to the connection fee". Discussed that Highfields will need another type of agreement to charge them another fee. How to determine 0 – 100%? Barb to type up and Bob suggested that we have Paula, Weston & Sampson & counsel review proposed policy to make sure it is a "legal fee vs. illegal tax". There is no answer for Bob P yet – we need to do this right. Per Fran, using the flows from CWMP gives you a valid basis for what you are charging.

Betterment bylaw changes – per Fran, no change at this time is really necessary. Any elaborations done at a policy level is preferable. Fran suggested however that we start documenting everything we do to arrive at a decision and why. It is important to keep good records of policy changes so you can go back and understand why a policy change was implemented.

Workshop – Fran had originally suggested to Barb that there should be a working session between the Commission and Weston & Sampson. Barb asked if tonight's meeting sufficed for now and Fran agreed that it did.

Summary of tasks – Jack will talk with Brian Millisci of Whitman & Bingham regarding the grinder pumps. Steve P. will get the Commission a memo to review and agree to in response to Fitchburg's proposed IMA. Barb will check if there is an electronic copy and will forward to Steve P.

Jay Simeone- Steve D. noted that Jay had now come to his second meeting and suggested that we make a **motion to recommend to the Selectmen that they appoint John J. Simeone (Jay) to fill the vacancy on the Commission until town election on May 15.** Carl made the motion, Bob seconded, vote taken was unanimous. Barb will send email to Laura Williams, asking that this appointment be put on the next Selectmen's agenda.

Meeting ran late so Barb reviewed quickly other items in the packages:

Drain layers application – there is a new initial application and new renewal application in their packets for review.

Stone Farm – Barb reviewed the latest activity for a closing at 14 Riley Rd. on 3/25 and that a permit for an application to connect must be filled out. She had advised John Scribner of total building permits issued and that the associated connection fees were short by 3 permits.

CWMP – we have received 10 copies, the remaining 10 will come after the 2nd MEPA filing. Barb gave Phase IV binders to Steve, Carl, Bob, Jack and Fran. Kevin won't send copy to DEP until after the MEPA filing is complete. Barb had their invoice for \$700 for approval, with a spreadsheet to show that it is not the final invoice. Commission agreed to okay this payment.

Connection Charge – quick discussion of the cost for a duplex to connect – not clear on current connection charge policy. Commission to review and revisit at next meeting.

419 Sunnyhill Rd – Barb stated that Mike S. had talked with Bill Drumm 3/19 and confirmed his opinion that 5 lots are possible. Drumm said ok.

Emerald Place – Barb stated that Carl Pearson had said that sometime during week of 3/15 that he'd be back for permits for more units to connect but as of 3/25, she had not heard anything more. Emerald Place plans to pay for all permits before fiscal year-end.

Meadowwoods - VFD's – no update yet per Karen.

Administrative:

- Letter was sent to United Solutions with Commission approval to proceed.
- Rules & Regulations were updated to require connection fee payment at time of building permit signoff.
- Corey Dowd was registered for FOG class (Fats, Oils Grease) for May 4 with NEIWPC. He is required to take courses in order to be licensed every 2 years.
- Minutes of 2/23, 3/10 were ready for approval – tabled to next meeting
- Barb will be away on vacation 4/13-4/19 -- missing Wednesday meeting on 4/14 . Commission confirmed intent to still meet.
- Koppelman & Paige invoice approved – not as much as expected.

Motion to adjourn was made by Bob, seconded by Carl, and the motion to adjourn passed unanimously. Meeting was adjourned at 10:50pm. Next meeting is April 14 at the Ritter.

Respectfully submitted,

Barb Lefebvre, Business Manager for the Lunenburg Sewer Commission