

*Bob* *Jay* *Butch*

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

*approved  
7/14/10*

Minutes of June 9, 2010 Meeting held at Ritter Memorial Building:

*Present: Bob Ebersole – Chair, Jay Simeone -member, Butch Bilotta- member, Barb Lefebvre-Business Manager.*

*Absent: Carl Luck, Dave MacDonald*

Bob formally opened the meeting at 7:03 pm.

**Sewer extension policy** - discussed the issues Weston & Sampson had raised, such as the fact that no other towns have this type of extension policy the percentage of street to be sewerer to prevent patchwork extensions, and extent of engineered plans -- should there be an established formula or requirements? Commission determined that it would be taken on a case by case basis, and must be consistent. Commission discussed the new privilege fee policy and whether it needed to be run by counsel yet. Bob didn't find it necessary as only the percentage was defined. We discussed Carl's concern, sent in by email which Barb distributed, regarding allotment for capacity on extensions and the timing of the privilege fee charge especially with the John Fitch Highway improvement. Barb will check with Kevin if all parcels in the Sewer Service Area are taken into account for the 2026 flow number.

**Privilege fees** – Committee reviewed and discussed the synopsis detailing the difference between betterments, compensatory, & regular privilege fees. Only edit was to note that the first subdivision (Lunenburg Village) was charged the full 100% which Bob asked also that we make that clear to Marion and Kerry. Memo was sent 6/3 on the sewer extension privilege fee policy to Marion, Kerry, Mike Sauvageau and Jack. Bob asked that a new one be sent specifying that subdivisions are charged at 100%. Barb pointed out that, although it was the hope that we could charge Whites Woods a privilege fee for current construction (Jacklyn Dr, Janet Lane), after reviewing the policy with Bob, that the timing is too late. Barb is still going to contact Paula and advise and see if she has any other ideas. It was noted that the compensatory fees for Leominster Road had been sent out, as we had discussed at the last meeting. Barb asked about the timing of the recording of the liens for both Lunenburg Village and Pleasantview. Barb noted that the 40B was accepted at the last hearing. Barb noted that the 40B was accepted at the ZBA's last hearing and we had received a copy of the decision of 6/2 from the ZBA office today, 6/9. Barb handed out the decision with the pertinent parts on Sewer or affordable units for the commission to review. Commission discussed that the compensatory privilege fee was a full 100% of the past betterment, that there were 64 units and 25% would be affordable and those would not receive privilege fees. Commission discussed that we should have required that the homeowners E-one pumps be "generator-ready" in anticipation of a power outage. It was noted that the Homeowners association with have ownership of the sewer lines within the development, which was not expected. Barb to compose a letter once the Homeowners Association is established to advise them of their responsibilities as it pertains to sewer. Commission also discussed the timing of recording of the liens on Lunenburg Village 40b and Pleasantview. Lunenburg Village's privilege fees will be paid when they take out the building permits, so no liens will have to be recorded. Pleasantview – we may need to take forward to legal counsel. Barb will get a letter to the Town Collector, Jeff Ugalde, advising him that there are liens to come and note that accordingly should any properties on Pleasantview request a Municipal Lien Certificate (similar to what we did with the Drumm lien). Barb asked about the **3 extension inquiries** (B.Proctor, L.McNamara, D.Proctor) and the next step. Per Bob, send them a letter, listing out the extension process – obtaining an engineer, getting bonded, obtain plans, etc before coming before the Commission for approval. **Connection Charge** – Commission looked at the current connection charge policy and compared it to the Zoning definition (dwelling unit) and also the Fitchburg IMA and determined that "dwelling unit" should be inserted to replace "any building" in item 1, and replace "residential dwellings" in item 2. This meshes well with the verbiage in the draft Fitchburg IMA, as that reads "each separate unit of a multi-family dwelling shall constitute a separate residential connection". Barb will re-do the policy and have it for review and vote at the next meeting on 6/29. Barb mentioned that the memo that Karen had requested through Jim Lavin at Rural Development for the makeup of the connection charge had not yet been sent – Karen had wanted verbiage added regarded the enterprise fund and reference to Mass General Law which has been done. Karen will send to Jim. **Fitchburg IMA** – Commission reviewed the latest draft IMA and discussed the sections that still needed to have changes. 16.1 Fran's change to 60 days after receipt of the connection fee has to be replaced by either certificate of completion or occupancy. Per Bob, if they insist on receiving it close to when the connection fee is paid, then a clause regarding a refund must be inserted. Also, as it pertains to building permits, need the verbiage inserted "within the Lunenburg Sewer Service Area, served by Fitchburg" to avoid having to send all permits to Fitchburg. Section 17.2 - We discussed Kerry's issue on pre-treatment and a surcharge. As opposed to a change in the IMA, we will update our

own **Sewer Use regulations**, section 21-46 to say " in the event of any occurrence aforementioned that results in a surcharge by Fitchburg or Leominster, such surcharge will be charged to the property owner on the next sewer bill." With the change to our connection charge policy, the wording regarding connection fees on multi-family in the IMA will now match our own charge policy. Barb noted that the budget information had not yet been received from Joe Jordan. It was decided that Barb would call Joe, on behalf of the Sewer Commission, asking when we could expect to receive the information.

As for **Weston & Sampson**, Barb had received an estimate and an amendment due to the pending close of the fiscal year, the amendment needed to be signed at this meeting and forwarded on the Weston & Sampson. Barb pointed out that Steve Pedersen had agreed to the \$4600 amount, as that was what was left in the Engineering Services account for the fiscal year. Barb had new YTD Budget and Purchase of Service snapshot for the Commissioners to review. We discussed the timing to run the IMA by legal counsel. We still need to get the budget information, get the sections revised and have another meeting with the Selectmen, before we are ready to go before legal counsel. Barb mentioned that Jack had had another meeting with Weston & Sampson regarding the **I/I and flow metering issues**, but had not yet been updated on the status.

**Sewer Rules & Regulations change** - Commission discussed 2 sections that had been updated for their review. PVC piping vs cast iron caused a lot of discussion and Steve Debettencourt voiced his concerns. Barb to check with Jack on his take on both sections and recommendation. They will discuss at the next meeting. Also, in the Drain Layers section, also discussed the 500k level across all lines of insurance. The last 2 drain layers certificates of insurance were at the 100,000 level instead of \$500,000. Bob Proctor fought the necessity of carrying the \$500k. Barb had checked with Leominster and had received their packet of info for all contractors. Packet does not include any Workers Comp, and also has a cash bond for ANY work of \$5000, kept for 2 years beyond completion of last work. Barb stated we require only \$1500 for Road Opening permit only – needed Jack's opinion on that also. Commission asked to get Jack's opinion and they would review again at the next meeting. Barb will check with the Town's insurance carrier and get their recommendation.

**CWMP** – Barb had talked with Kevin 6/7 and expect the MEPA filing mid-July. He will look at fixing Table 2-7 and see if there is fallout from that adjustment, and post Phase IV on web

**Fee policy** – Barb brought up the issue that we have no policy on broken or missing meters. Currently we just charge minimum charge. Specifically, issue is at the Whalom Mobile Home Park and J. Carnivale is getting 2 trailers meters repaired. It was determined that we should attempt to get the Leominster meter reading for the entire property, then calculate the missing 2 with the difference between what we know and don't know. Barb will see if Corey can get the reading. For now, we will calculate the average use of all trailers at the park to use in the absence of a reading.

**Hollis Hills** Barb reviewed her conversation with Mike and his belief that they have a 50/50 chance of going through with this 40B. Discussion ensued on whether or not they can have public sewer since they didn't obtain the DEP extension approval and it being outside the Sewer Service Area.

**Sewer Use regulation change** – Barb talked about the clause for TV testing to be added, and we have another section now on the pre-treatment surcharge. Bob recommended that we have a workshop on the Sewer Use Regulations to review them and make a determination. Barb pointed out the recommendation in the CWMP for the **TR-16 publication** by the NEIWPC that should be incorporated into our Sewer Use regs because Wright Pierce felt that our current regs were weighted heavily for industrial usage that didn't apply for most of Lunenburg. Barb recounted that Jack said they went with the strictest regulations from both Towns to ensure they would always be within the guidelines. Bob asked that we table the discussion until we have a workshop dedicated to the Sewer Use Regs. Bob approved the purchase of the publication TR-16 so that we could have it for the workshop.

**Highfields Village** - Barb noted that both Kent and Marion were both requesting an update from the Commission. Barb had done up a letter, Bob had reviewed and signed. Discussion followed as to whether we need to hire our own peer reviewer and whether the cost could be born by the developer. Barb to find out from Marion if the developer has already paid the costs spelled out in the original agreement for the peer review. Barb is also tasked with getting an estimate from Weston & Sampson for their review, and to check with Kent if the developer would be willing to pay for the peer review (depending on Marion's response). Barb pointed out that accompanying the letter to Highfields she would like the "**Large Project**" application which was still in development. Barb presented the first version for the Commission's review along with a **Change of use application** that is referenced in our Sewer Bylaw. Both were reviewed and were acceptable for now. We will start using it with Lunenburg Village and determine its efficacy.

**VFD Mass 1** – Barb advised that per Jack, it is being installed by Hall pump currently and we will get an invoice asap as Karen wants it submitted before end of year. Reviewed Mass 1 issues for the new members and the benefits expected of the VFD.

There were no minutes for review, as they would need Carl present for a quorum to take a vote. We discussed the YTD Budget briefly. Barb had emailed Kerry and Laura for any update on the **Sewer by-law** as Paula had requested

but had had no response. Barb noted that there was a power point document in the package for their review from Corey's **Fats, Oil, Grease** class. Barb noted that the **next meeting is 6/29** and she will be away. Bob asked that she compile the agenda and they will see as it gets closer whether or not they need to meet. Butch will also be away. Barb had the invoice for **Weston & Sampson** which was approved and the **amendment for Weston & Sampson** that needed to be signed at this meeting so that they could do the work through the end of the fiscal year. **Bob asked for a motion to increase the contract for Weston & Sampson by \$4000 for Part A and \$600 for Part B for a total increase of \$4600.** Butch made the motion, Jay seconded, vote taken was unanimous. Amendment was signed by Bob.

In preparing to close the meeting, Bob asked if there were any additional items for public discussion. Steve Debettencourt advised that **Sean Patricks** was doing a major renovation and asked about their oil separator. Discussion led to the schools and the timing to improve the **grease traps at the schools** is now during school break. Weston & Sampson can assist with grease traps and had recommendations regarding the schools grease traps. Jack needs to be involved in the discussion. Barb will get Jack's input on both items.

Bob asked for a motion to adjourn the meeting, Butch so moved, Jay seconded vote unanimous. Meeting adjourned at 9:56 pm.

Next meeting will be Tuesday, June 29 at Town Hall.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'B. Lefebvre', written in black ink.

Barb Lefebvre  
Sewer Business Manager