Bob E. Carl L. Jay S. B.Bilotta D.MacDonald

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

Minutes of October 13, 2010 Meeting held at Ritter Building:
Present: Bob Ebersole –Chair, Carl Luck – Vice-Chair, Jay Simeone -Clerk, Butch Bilotta -member, Dave MacDonald-member, Barb Lefebvre-Business Manager, Jack Rodriquenz – DPW Director, Guests: Fran Yanuskiewicz – Weston & Sampson, Jay Hoag -, Emerald Place, Anthony Cleaves - Whitman & Bingham.

Bob formally opened the meeting at 7:02 pm.

Emerald Place - Jay Hoag & Anthony Cleaves had attended to discuss the plan modification received 9/17 from Anthony Cleaves (Whitman & Bingham) and review the changes in the design. Anthony showed the original design with multiple connection points and the current design. They have eliminated the connection on Electric Ave, and reduced multiple connections to one on Whalom Road. They still have 3 individual connections to residences, but only 1 connection into a manhole. Original design also had a connection and pipes to Leominster sewer that has now been removed. All sewer will go through Lunenburg's sewer pipes. Bob asked for the DPW Director's opinion of the re-design. Jack agreed completely with the re-design as it is less invasive to the streets. Anthony noted they were using 8" pipe to handle the flows – pipes designed to be capable of handling a much greater flow that what is expected. Bob asked if there was a **motion to approve the reconfiguration of the sewer lines on the Emerald Place modification. Butch made the motion, Carl seconded, vote taken was unanimous.**

Dave Kenny, Lt M, Meadowwoods – Barb reviewed Mr. Kenny's issue, looking for a credit of his July bill for period covering 4/1-6/30/10. He had come before the commission on 4/14, advising that the meter had been turned off and getting the Commission's vote on 4/28/10 that if meter is off and there is no usage during billing period, no minimum charge will be applied. However, as the Water Dept. does the readings before the first of the month, there was actually water reading from 3/15 until 4/2/10, when the meter was turned off that he was billed for in July. Mr Kenny stated that no one has occupied this trailer since the ice storm in December 2008 and that there was a leak at the valve under the trailer, so any water was actually going into the ground and never entered the sewer pipes. Usage for July bill (4/1-6/30) was 417. He would like this bill totally credited out, since water never went into sewer pipes. Bob asked for a **motion to credit Mr. Kenny in full for the July 2010 bill, and request a credit from Leominster for the sewer capacity adjustment. Dave made the motion, Butch seconded, vote taken was unanimous**.

CONSENT AGENDA

Delinquent accounts to be placed on December's Actual billing - The Sewer office has received quite a bit of calls and action from the insert included with demands. Barb hopes the actual number of accounts that will have outstanding sewer bills attached to the tax billing will be reduced from the list showing delinquent as of 7/1/10.

Sewer Betterment Fund will be combined with the Enterprise fund for FY12. Fran (Weston & Sampson) confirmed that it will need to be done due to the timing of when the Enterprise Fund was formed and when the projects were voted on at Town Meeting. Per Karen Brochu, it has been faxed to DOR with the closeout of the fiscal year, but the ledger will not reflect the change yet. Per Karen, the Town will make annual payments to betterment fund as it already does.

CWMP – Notice of Project Change - Public Depositories are set up through 10/22/10 at the Library, Selectmen's office & Sewer office. The NPC was filed with MEPA 9/21, commencing the Public Comment period which runs through 10/22. Only feedback to date was from the Planning Office that the Growth Management District for Chase Road was removed. Barb clarified that the district goes up Chase past Beal, but doesn't extend much further due to the concern at the time for capacity from Fitchburg.

Billing for missed connections – We had received the attorney's letter 10/8/10 for 27 Whalom agreeing to pay $200 /quarter (1/2 of what was originally proposed) with no interest until the balance is paid off. The Commission discussed the proposal quickly and agreed that if the resident misses any payments she will be charged interest & penalties. Barb will make this clear to the attorney and copy the Collectors office on communication.

DISCUSSION WITH DPW DIRECTOR

I/I & Flow meters – Jack provided a handout from Weston & Sampson and the specifications for the temporary meter installed 10/4 for Leominster. Initial readings indicate our meter is reading 8x higher than actual flow. There was a spike after rainfall, indicating Infiltration/Inflow (I/I). It is fairly clear that we will have to replace the meter but Weston & Sampson will check again next week. Discussion followed on the Leominister clay pipe issues and seepage and Jack stated that the Wallis Park and roads behind Sean Patricks will be the first target area in dealing with I/I due to these issues. Jack had also met with the engineers regarding the Walmart property and stormwater drainage issues. He will pop in some dye prior to the rains coming Friday and then pop a manhole further down. Dave suggested that it is the multi-tenant section between Hannaford & Walmart that had the roof drainage issue and inquired when the Town was aware of the I/I problem. Jack stated I/I is a problem for every town, but Lunenburg should not have a big I/I problem due to the relatively young age of the sewers. Two issues need focus for the I/I resolution – replacing the Leominister clay pipes and educating the public regarding hooking up roof drains & sump pumps to the sewer. Bob added that we could pop dye in at the schools as the roof drains for the schools were also in question. Jack agreed and reviewed what needs to be done in this Whalom area. We will need to find out which houses put PVC pipe in by camera-ing the area or doing smoke testing. Jack estimated there are still 25 homes with clay pipes. As far

as the temporary meter installation, Jack stated that Weston & Sampson will be back in the spring to put in meters in 6-8 places. Everyone is anxious to educate the public that there is a law against connecting sump pumps to sewer. We will be including literature regarding illegal hookups in a future billing.

Grease traps– Jack described Village Grill's recent issue with a grease ball and the need to educate these business owners on how to professionally get the grease traps cleaned out to prevent blowing out pipes further down the line. Dave stated that the Sewer Commission needs to make their own regulation and communicate it. Dave noted that he had checked several town's regulations and the Boards of Health in those towns are usually responsible for the interior grease traps and the DPW for the outside. Restaurant owners need to hire professional grease trap cleaners and usually send notification to the local Board of Health when cleaning is done. Bob noted that, as an elected Commission, as is the Board of Health and Board of Selectmen, that we are tasked to work together and do whatever is best for the Town. Board of Health has no staff, and the Sewer Department's is limited. We will need to approach the Board of Health if we need them to do something and make a request. The onus should be on the businesses. What needs to determined is what action will be taken if they do not get the traps cleaned regularly. It is the goal of the Commission to get a regulation in place by 12/31/10.

Sewer lateral for Whalom Rotary – Jack had sent an email regarding a sewer lateral from under pavement at the Whalom Rotary to the driving range's property that had not been completed during the Sewer Project. He felt the timing was right, while the pavement was torn up for Emerald Place, to go out to bid to complete the lateral to the property line. Butch asked if Emerald Place could do with this with minimal expense. Jack replied that Emerald Place had already done a number of favors for the Town and he didn't feel comfortable asking for any more. Jay asked if this connection could be done in-house? Jack enumerated several reasons why the Town wouldn't want to. Commission agreed to allow Jack to proceed soliciting bids. Connection can be paid with project funds.

Weston & Sampson - Scope of services – Bob reviewed that we had asked Weston & Sampson for a list of projects on which they could provide assistance to the Town with for the coming fiscal year, including the Fitchburg IMA, Leominster IMA, grease traps, and other town's regulations. Fran stated that the same issue existed as did for the last scope – it is hard to estimate the time it will take, especially on IMA negotiations. **Fitchburg IMA -** Bob reviewed some of the current issues he has with the draft IMA and budget items received from Joe Jordan (Fitchburg), such as cost of separation of stormwater & sewer, the West Fitchburg plant vs. East Fitchburg, the John Fitch highway project, etc. Fran added that the method to bill Lunenburg needs to be clear – billed as a user then we should pay as a user. Bob noted that we have to go back to meet with the Selectmen before going to Fitchburg. Per the Charter, we can advise only. Issues to review include administrative fee, debt payment, future debt, Tri-Town, etc. before turning over to Selectmen. Commission discussed Weston & Sampson's involvement during this time and it was determined that the Sewer commission's next meeting should be a workshop to totally delve into the IMA. Bob stated we need to get more detail from Fitchburg on the debt – now & future debt, and separation costs. Fran pointed out that Lowell had added a clause that they would not pay for sewer separation. Fran will get the verbiage for the workshop. Bob brought up the administrative fee and taking on Tri-Town again and Barb noted that, with current flows, the admin fee costs us about $22000/yr. Commission discussed that they would like to provide the Selectmen with what we consider a final draft of the IMA from our 10/26 workshop to have delivered to Fitchburg by 12/31/10. Fran noted it should be weighted toward Lunenburg as there will be negotiations and we need to have something to let go. Carl added several issues that he has such as paying for separation costs, not paying West Fitchburg costs, and that if we pay as a user, we shouldn't pay for I/I. It was determined that we really needed to be in Executive Session for IMA discussion – so we will meet in Executive Session on 10/26, starting at 6pm, and since it cannot be televised, we will meet in the Ritter. We need to get more detail on the Fitchburg Capital Improvement Plan. Fran noted that Fitchburg had hired a financial consultant to help them with setting rates. Jay noted his concern regarding the federal government possibly billing Fitchburg for the federal land they took from the airport for the East Fitchburg Treatment Plant. Bob asked to return to the **Scope of services** and went through the list of bullets. Fitchburg - do we want Weston & Sampson to do the negotiations? Fran thought their experience could be of help. Bob stated that Joe Jordan may not have the final say on the IMA – that it may go on to the City Council or Mayor. The Commission touched on the Leominster IMA but didn't think it should be on the Scope for this year – we have another 14 years. We discussed the value of having Weston & Sampson help Lunenburg with Sewer connection fees & policies. Fran said they could get the Town so far, but with a growing system, we should also have an attorney review. Our Rules & Regs could use review also – Barb pointed out that the CWMP also recommended that the Sewer Rules & Regulations be reviewed and updated. As for Fats, Oils & Grease (FOG), we could use W&S for proposed regulations on grease traps. Fran was asked what the GIS offering on the Scope entailed and Fran inquired if we had a systematized map of the system. As for the Technical Review bullet, that shouldn't be necessary as most new projects we will be able to charge back to the developers. Dave questioned using a consultant for putting together connection fees and thought it could be done cheaper. Bob noted that it takes a lot of work, extra meetings, research, comparison, compiling. Yes, it could be done but we don't have the time. Dave asked if a high school student couldn't do it.. Both Barb and Bob felt strongly that it was important enough to have a consultant work on it for the Town. Fran defended the relationship, past and present, with Lunenburg and with the Commission. Dave wanted more structure to the Scope including a fee schedule. Carl suggested that Weston & Sampson get a listing of all our policies and fees to compile an estimate of what we have to date and what they can help us with . As for the Scope, Bob asked that it be specific – Fitchburg IMA, Sewer Connection fees & policies assistance, general consulting services, and a fee schedule. We do not want included: Leominster IMA, I/I, FOG, GIS or Technical Review on this scope for FY11. Back to the **Fitchburg IMA,** since we hope to have a draft for the Selectmen from the meeting, it was decided that Weston & Sampson should attend the Executive Session on 10/26. As for the **Scope of Services**, it was discussed that we would approve of $2000 for now on the Fitchburg IMA – that will get us through this next meeting. Bob asked for a **motion to authorize up to $2000.00 for Weston & Sampson to attend the meeting on the Fitchburg IMA and compile a clean document for presenting to the Selectmen. Carl so moved, Butch seconded, vote was unanimous**.

Special Town Meeting - Barb pointed out that the Town Meeting was the same night as our meeting. Bob didn't want to move it up a week as that would be the week of Thanksgiving. He asked if anyone had an issue with canceling the November Tuesday meeting. No one responded that they did so it was done. The Commission reviewed the proposed article to revise the map and approved its inclusion in the warrant. Barb will send to Laura. Barb stated that the Collector's office is doing the article for the warrant to include delinquencies on the tax bill. Barb told the Commission that Cartographics had provided the cost of $400 to do both a proposed sewer district map and the final once it is voted upon. The Commission agreed to authorize Cartographics to perform the work.

Lunenburg Village – Barb advised that upon reviewing the recorded decision from 8/4/10, she had noted that the final document included an additional betterment waiver for a market value unit, in addition to the waiver on the 16 affordable units that the Commission agreed to. Per Bob, now that it has been recorded, the Commission cannot change it. Bob asked for a **motion to assess privilege fees as outlined in the Zoning Board of Appeals decision**

recorded at the Northern Worcester Registry of Deeds for Lunenburg Village on 8/4/10 and to send a notice to the property owner that they will have 30 days to pay the privilege fee amount or that amount will be apportioned on their tax bill. Butch made the motion, Carl seconded, vote taken was unanimous. Bob asked Barb that after 30 days, the notice be recorded at the Registry.
Circuit Breaker Tax Credit – Barb pointed out that the Circuit Breaker tax credit had been improved for 2010 sewer charges.
Mass Gov procurement class – Barb noted that she would like to take this online course on the bidding process for her own edification. Commission approved the expense of $15 for Barb to take the course.
There were no minutes or invoices to approve.

Motion to adjourn was made by Butch seconded by Jay, and the motion to adjourn passed unanimously. Meeting was adjourned at 9:20 pm.

Next meeting is October 26 here at the Ritter at 6pm.

Respectfully submitted,

Barb Lefebvre for the Lunenburg Sewer Commission