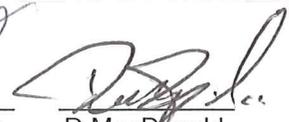



Bob E.
Carl L.
B. Bilotta
D. MacDonald

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

approved
9/27/11

Minutes of May 31, 2011 Meeting held at Town Hall

*Present: Bob Ebersole –Chair, Carl Luck-Vice-Chair, Butch Bilotta -member, Dave MacDonald-member, Barb Lefebvre-Business Manager,
Jay Simeone-absent*

Guests: Steve Pederson- Weston & Sampson, Steve deBettencourt – Selectmen liaison

Bob formally opened the meeting at 7:00 pm to start with PUBLIC HEARING on Grease trap regulation.

Grease Trap Regulation – Bob opened the discussion to say that the Draft regulation was sent to restaurants, churches, town departments with kitchens on 5/20. We received input from Weston & Sampson, Corey Dowd-sewer technician, and one of the churches. Forms will be devised to support the document. Bob asked for any public comment on the regulation. Butch said he was surprised that no merchants had come to provide input. Bob stated “no comment is no comment”, and the fact may be that the regulation is good and most merchants may already do this already. Dave stated that the document was well written and asked if there was any input from the Board of Health? Bob inquired as to whether he had sent Barb the comments received from Board of Health? No. Bob added that the Board of Health did not take an official vote. They did discuss the 3 tiers of fees for non-compliance and that DEP may take it as a fine. Bob noted that the fee is due to the extra work so by increasing the fee, it compensates for additional work which should satisfy DEP. Dave inquired whether this needs to go to the Board of Selectmen. Per Bob, it doesn't have to. We can adopt the regulation ourselves – either tonight, or make the changes based on the input received and adopt at the next meeting. Dave asked if the final version should be reviewed by an attorney? Bob stated that having W&S review the document qualifies for professional review. The Commission discussed and decided to make this effective 7/1/11. This gives us time to incorporate changes and send it out to all the business people in Town. Dave made the motion to accept the grease trap regulation effective 7/1/11 with the changes suggested by Corey Dowd and Weston & Sampson incorporated into the document. Butch seconded. Bob asked if there was more discussion? Carl inquired as to the letter from the church. Is the regulation applicable to United Parish? Bob clarified that it applies to any establishment that is issued a permit to operate a food service or a non-residential property that provides food on non-commercial basis. The church has been known to prepare food start to finish – same for any other institution – such as town buildings, public safety. Dishes are still cleaned and grease disposed of. DPW would have to approve exceptions. If they have a full service kitchen, they will fall under the regulation. Carl asked how to handle the church inquiry. Bob noted Section G under General Provisions-- “An establishment which generates very little or no Fats, Oil and Grease, may request a waiver” United Parish is also considering an addition and it will depend on the plumbing code. They will be required to follow the code for the updated kitchen. Even with a waiver, each establishment still has to be inspected and clean out their grease trap each year. Bob noted that even St. Boniface with its Italian night may need to request a waiver, even if a caterer is bringing in and taking away the food. Dave asked if it is our onus to have them do a waiver or is the Board of Health? Bob stated that it is not the Board of Health as grease is not considered a hazardous waste. It goes back to our commission. It states right in the regulation: “Any waiver allowed by the Sewer Department shall be issued in writing and a copy sent to the Lunenburg Board of Health”. Carl asked if the church's letter does not constitute the request for a waiver? Bob responded that they'll need to make a formal application for a waiver. Dave stated that the regulation doesn't just apply to the tenant but the landlords as well. Bob noted that we had sent the regulation out to both tenant and owners. Bob re-stated – there is a Motion before the board. Vote taken was unanimous to accept the Grease Trap regulation effective 7/1/11

Election of officers - due to the start of a new term, election of officers must occur. Jay was re-elected in the May town election to the Commission to a 3 year term. Congratulations to Jay. Butch made motion that all positions remain same – Bob Ebersole-Chairman, Carl Luck-Vice Chairman & Jay Simeone-Clerk. Dave seconded. Vote taken was unanimous.

CONSENT AGENDA – Bob reviewed:

1229 Mass Ave 40B project of 64 condos has been re-activated.

Jones House – we have correspondence on the RFP addendum for sale of town property at 42 Main St. Jay provided input via email to make sure they are aware that the entire plumbing is not feeding to the sewer and the necessity of the decommissioning of septic system. Per Bob, decommissioning is the responsibility of the Board of Health. Carl asked about the Jones house and a betterment. Per Bob, no betterments, no connection fee –they were already done. Barb confirmed there is no current bill – the meter is off as of 12/1/10.

Spring Flow Metering Project status– Bob noted that Flow Assessment was coming out 6/1 to remove temporary meters – all data will be taken from the temporary and permanent meters. They'll get the info to W&S in June and Weston & Sampson will report to us in July. As for the level of support going forward from **Flow Assessment**, Bob expects them to come in to do the work and train Corey. They will come to set up the internet connection, and come to town to check the meters for the year (since it is the warranty period anyway). Bob added that three-quarters of the way through the contract year, we'll think about what we'd like to do for the following year, pending full analysis of cost. Dave asked if we will be up and running, to be able to start receiving data in July and get them in report form by July? Bob said yes, and that for the next meeting, we should have the contract to sign. Barb noted that the **laptop** has arrived and will be brought to IT tomorrow to upgrade it. She noted that we can't get Wi-fi around town, that the only town building with Wi-fi is the Town Hall, so Corey will have to access internet at DPW. Dave noted Corey can still work offline on activity reports, etc and then send Barb a file. Dave also noted that the DPW building will have Wi-fi after the renovations.

Budget - Bob noted that at the Town meeting it was voted to reduce the budget by \$20,000 by removing backup assistant to Sewer Business Manager and backup for Corey. Bob clarified that Paula had stated that \$10,000 would be saved in OT, but whether or not we have the extra person, we'll still have OT. Bob added that the Commission has ultimate authority to allocate a number within the budget, that we have to be mindful of what the Selectmen said, but it is our decision how we get to our ultimate goals for the operation of the Sewer Dept. As far as backup for Corey, Jack was getting quotes from several companies to provide backup. We cannot continue with the current arrangement due to union rules.

Dave noted that for **outsourcing**, he'd like to send out an RFP to bid for service, to publicize and advertise. We really need to start looking at how we run the business, that we need a backup and if we can outsource that will help. Bob added that outsourcing will take care of time when Corey is on vacation and take care of his OT but it may not be less expensive than internal costs. Bob asked Barb to advise Jack that we'll expect those quotes for next meeting. Also, along with the hourly rates, the Commission would like to know what he expects to use throughout the year and how it compares to the cost of using an internal employee. The Commission needs to see a comparison and not just hourly rate. As for assistant to business manager, Bob asked whether any commissioner wants to reallocate any line item. Not at this time. Bob noted that the Utilities line item will come down as to **Water Dept. charges** and asked Dave to report on his negotiations with Lunenburg water. Dave noted that he had several meetings with Fran McNamara. Their original proposal was \$2,000/qr. which he got down to \$565/qr or about \$2200 for the year. There is no question that they are providing a service which we need to pay for. Dave stated that Barb should expect the same service that she's received all along. Dave thanked the Lunenburg Water District and Fran for the discussion and the agreement. Bob stated that the water line can be reduced by \$5700. Barb will send a letter thanking the Water Commissioners once we receive a letter with the proposed rates. Bob asked Dave if he would get them to send us a letter. Bob stated we would hold off on further discussion on the budget

OT Call log – Commission reviewed Corey's OT for the period 4/2 through 5/14. New log shows that the power outages are all over, not just one or two specific stations. Francis Street has been quiet. Dave still wants Unitil to check to resolve the frequency of the power outages. Bob noted that once Corey gets his laptop, we will want reports of all callouts –both within his shift and outside the shift.

Leominster Road repairs is on hold until Keating has another job in the area to make it economically feasible. Barb noted that we did receive the report and a DVD of the camera-ing of the line to keep on file.

Leominster irrigation request – Commission reviewed the situation with a customer on Leominster water applying for use of an irrigation system. Per Bob, this was discussed at the last meeting, and Leominster doesn't allow customers outside the city borders to use a 2nd meter. We would have to amend the Leominster IMA. Per Bob, if the property owner wants to talk to Leominster they can, but until the IMA is revised, their policy stands. Barb asked if we should have our own counsel review but Bob did not believe it would be necessary. Barb also noted that Leominster is installing their own meter at the Town line to determine flow, in response to concern for excess flows coming from Lunenburg. Barb asked if we need to take any action. Per Bob, hopefully the information we are gathering from our own meter installation will help us determine any issues and the work in the Whalom area will take care of that.

Leominster Sewer customers - Regarding the clay pipe issue, Barb had done up a draft letter and wanted acknowledgement from the Commission that these properties would not have to pay connection fees, as previously offered. Also, Barb noted the leverage paragraph stating that if they did not complete the work by 11/1, that Town would do it at the prevailing rate and they may end up paying 3 times what they would if they did it privately and having a lien put on their property. Commission was in agreement with the draft. Jack had stated he would be happy to deliver them door to door – Barb wants to sit and go over the list with Jack and maybe Corey, then she'd do a mail merge of the letters for Jack to deliver. Commission discussed situation and the letter and gave their okay for the letter to be sent.

Lt. 27 Meadowwoods – Kristi McIntyre sent a letter which was received 5/24 requesting adjustment due to a water leak. She cannot obtain adjustment from the Water department as the water was used, but it did not enter the sewer system. Commission discussed situation and per Bob, was "inclined to agree to abate" but they need to see the next bill. Barb pointed out that for her to pay the full amount creates a hardship. Commission agreed to let her pay average cost for now (\$147) while we await the July invoice. If the water usage in fact reverts back to the previous "normal", then we will waive

the remainder. Barb will send a memo to the Collector, cc-ing the resident, and will review this again once the water usages are known for the next quarter.

332 Mass Ave – Barb noted that she attended the tech meeting on the Asian Imperial proposal to move from Electric Ave to Mass Ave. on 5/11 and has requested that engineer on the project, Steve Marsden, come to the meeting of 6/8 to present the proposal since it is a change of use for the property. He will also need to provide the proposed flow. Barb pointed out that the flow destination changes with this move from Leominster to Fitchburg. Barb does not have Asian's current usage since the entire strip mall on Electric Ave. is grouped under one meter/bill. Bob also inquired as to the proposed use for the vacated property. It is not a wash, if another restaurant then moves in after the Asian Imperial.

Payment Plan request – 13 Electric Ave – Barb stated that the property owner emailed the request to the Commission's office today to be reviewed before due date of current bills. Ms. Simmons proposes to pay \$100 against the outstanding balance due, keeping current with new invoices as they come in, and asks that the delinquent amount not be applied to the tax bill for 2012. The Commission agreed that as long as she keeps up with regular \$100 monthly payments, the delinquent amount will not be applied to the tax bill. Barb will send her and the Collectors office a memo stating the agreement. Question was posed about the interest, but since the large balance was not due to us back billing as had been the case on previous requests, but accumulated unpaid bills, there is no forgiveness of interest. Bob asked for a motion to approve this payment plan. Butch made the motion, Dave seconded. Vote taken was unanimous.

Bob Proctor will be coming to the next meeting on June 8 to put forward an extension plan request for 223 Sunnyhill Rd. He was supposed to drop off the plan in the office today. Jack Rodriquez has seen the plan and is in agreement.

Bob approved for payment **invoices** for Leominster usage \$28,974.98, W&S invoice \$2440.00, and Clean Basins \$1080 Commission signed off on the April quarterly billing **Commitment** for \$104,846.65. Barb announced that the **Town Report** is available online at lunenburgonline.com and provided the Commission a copy of Sewer page.

Kerry will advise Barb when the Selectmen will have the **Fitchburg IMA** on the agenda. Per Kerry today, could be either the June 7 or June 14 meeting. They will also be reviewing the Water IMA which may be of interest to us.

Kerry is expecting the final launch of the **new website** to be June 30, 2011; the content managers are being trained this week. Andrea is attending for the Ritter building.

Corey has signed up for **Safety and the WWTF** for 6 of his required 10 credits to be re-licensed and will take the course on 6/21/11.

There is **no scheduled time off** before the next meeting. Office should be open for the regular schedule.

We have once again contacted Lorden regarding the **Lunenburg Village 40b** project. We are still awaiting the privilege fee before the sewer permit can be issued. And until the sewer permit is issued, he cannot get a building permit. Mike is also in contact with Gary Lorden.

Next meeting is a regular Sewer meeting on June 8 at the Ritter Building.

Bob asked for a motion to go into executive session. Dave asked if we'd had any inquiries as to the pool policy, any requests to reduce sewer bills? Barb responded that there has been only one call so far, but nothing yet received.

Bob asked if there was a motion to go into Executive Session, with no intent to return to regular session. Butch-aye, Dave – aye, Carl – aye, Bob – aye. Unanimous.

Meeting was adjourned to go into Executive Session for the intent of discussing ongoing litigation at 8:04pm.

Respectfully submitted,

Barb Lefebvre
Sewer Business Manager