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Carl L

  
Butch B

  
Jay S.

  
Dave M.

TOWN OF LUNENBURG  
SEWER COMMISSION  
520 CHASE RD.  
LUNENBURG, MA. 01462

Minutes of August 21, 2012 Meeting held at the DPW Building, conference room

Attendees: Dave MacDonald, Butch Bilotta, Carl Luck, Jay Simeone

Guests: Jack Rodriquez, DPW Director, John Male (FinCom rep), Jamie Toale (Lancaster Ave resident), Dick Marceau (Eastern Ave resident)

Carl Luck as Vice-Chair opened workshop at 6:39 pm in the absence of chairman, Bob Ebersole.

Design portion of discussion has to be postponed since neither the formal plan from Jamie Toale's engineers nor the peer review was completed. Barb summarized what we did have – that F.R.Mahony.(Henry Albro) had stated that a 3" pipe was needed to allow for Rolling Acres and that Weston & Sampson stated that a 2" was acceptable as long as the line was flushed periodically. Discussion followed on what could be done, including laying both size pipes down and capping the 3". Jamie said in so many words that the group would, in return for installing a larger pipe, appreciate that if future expansion happens in Rolling Acres, they would not be liable for any additional money or betterments. Jack noted we are still at the same place without the engineered plan – and we're just spinning our wheels until we find out the pipe size. We did not go to Weston & Sampson with the conceptual plan for peer review in order to respect these residents and not waste their money. We know that per all 3 engineers, a 3" will support Rolling Acres, but whether that will work for the 6 confirmed residents on Lancaster Ave is the issue. Jamie stated that he had hired an engineer who had said that a 1' pipe will do. Jack responded by saying because the low pressure alternative is not in the master plan (CWMP), they run a risk of losing their investment. He added that any extension must consider future capacity for the line.

Carl – summed up the issue before the Commission – we have 2 scenarios. Either whatever the engineers recommend for Lancaster Ave can support the rest of the line or it cannot. The installed pipes must support Lancaster & Rolling Acres, be effective and not be high-maintenance for the town, which Jack thought a 3" would be. Dave presented the possibility that if gravity comes in later, we could leave Lancaster connected to E-ones until such time as their system needed repair, then they'd have to connect to gravity. Jack stated that it is important to have a plan, and that we have a plan, CWMP, and if they choose to go outside of the plan, it is at their own risk. Carl said that by sizing the low pressure line for future expansion, are we determining that Rolling Acres is e-one? Jack stated that, on the other hand, that since it's in the plan for gravity, is that what should be installed? Dave presented an option of depreciating the low pressure line and that after 20 years, or some number, their investment is moot, and they'd have to pay toward any expansion to the line. Jamie stated that the Lancaster Ave. group had agreed to pay engineering and installation for 1.5" pipe for 8 houses. To get it engineered and reviewed for 3" pipe, plus the cost to increase the size, he could probably sell it to the neighbors if they knew they'd incur no further charges. Jack proposed alternative - we put in 1.5" - and if we do gravity sewer –their money's lost. Carl stated that it simplified matters that we put in pipes that will support the rest of development (3") with no future risk and no further work to be done. We just have to await the engineer's design.

Next we need to determine the Commission's policy for Lancaster Ave, and Carl noted that it is a privilege fee 50% of the last betterment. Anyone who didn't pay into the construction at this time would pay the 100% (11,551.47 betterment) if they wanted to eventually connect. Barb warned that we don't have the legal backing to charge that – that the betterment bylaw deals with expansion of use on a pre-determined betterment, or a subdivision. The extension policy is where it is stated that the resident pays 50% of the last betterment. Discussion followed on what would be charged, where the 2/3rds majority needs to come from (one or both sides of the street), whether we charge everyone or just those installing the E-ones, and if we had the right to charge the full amount of \$11k after the extension is complete. Barb will contact counsel on whether the property owners on the even side of the street must pay a privilege fee, or even those on the odd side (where the E-one would be installed) that did not choose to contribute to the project. Second question to counsel is whether we can charge the full betterment (back to 11K) for those that aren't in on the installation at this time.

Jack stated that it just isn't possible to predict all scenarios. If they were to put in the policy that the " Sewer Commission may charge....." if may help cover future expansions. As to whether the Lancaster Ave. residents are at risk, it was summed up as: "If the system as designed and implemented stands with future expansion, no further cost to Lancaster Ave. residents. If the line designed today to the best of our ability in the future cannot support the plan, there is a risk that you may pay the betterment for a new gravity system. Jamie thought they could accept that risk. Furthermore, it was stated, that if a 3" pipe was put in and, staying with low pressure, it was determined that they needed a 4", they still

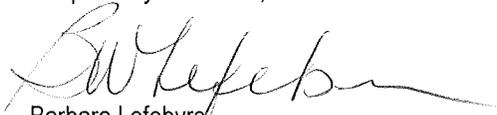
wouldn't have to pay – only if it changed over to the gravity system would they have to pay. Barb can run that by counsel as well, both as to whether it is legal or advisable and if it could be incorporated into a policy somewhere. Jamie stated again that if they pay to increase to 3" pipe, with another plan & our peer review, that that should cover them. Jack took issue having Jamie present when policy was being determined. Barb will contact attorney and check the legality of what we've proposed, and see if it can be incorporated into policy.

Discussion turned to the work itself, who does the inspections when the work is complete? Jack said it should be all part of the engineer's fee that the contractor has followed the plan and that the Town rep is present at the time. Jack stated also that the ownership of the line transfers to the Town immediately at project closure, but there is usually a warranty of one year. Driveways are repaired "in kind".

Jack noted that as for determining a policy, if we don't create a generic policy, then this is just a one case scenario and we open ourselves up to future discussions such as this.

Carl asked if there was a motion to adjourn. Dave made the motion, Butch seconded. Vote taken was unanimous. Meeting was adjourned at 8:33pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. Lefebvre', with a long, sweeping horizontal line extending to the right.

Barbara Lefebvre  
Business Manager for the Lunenburg Sewer Commission