

June 15, 2009

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, June 15, 2009 at 7:00 p.m., at the Edward J. Delaney Water Treatment Plant, 1303 Washington Street.

Present: John Spillane, Roger Turner, Patrick Fasanello, Kevin Muti, and Ken Fettig. Also, Rick Mattson, Supt. of Sewer and Water and Scotto Gustafson, Asst. Supt. of Sewer and Water.

REORGANIZATION

Ken Fettig nominates John Spillane for chairman, there is no second.

Patrick Fasanello nominates Kevin Muti for chairman and Roger Turner seconds the nomination nomination. Vote on Kevin Muti for chairman, 5-0-0.

John Spillane nominates Patrick Fasanello for clerk and Roger Turner seconds the nomination. Vote on Patrick Fasanello for clerk, 5-0-0.

Mr. Fasanello says as clerk he wants to see all Water and Sewer Department bills, both paid and unpaid, as well as the payroll, to review them the way it was done years ago. Mr. Mattson responds and tells him the days he would need to come in to look at this information however, he would also like to remind him that he has no right not to pay a bill if service has been provided and Mr. Fasanello says he realizes this.

The minutes of May 11, 2009 are discussed and Mr. Fettig says he saw one minor correction in the Lakeview Drive Extension agenda item, on the first page where the word is why instead the word while. The secretary agrees to change this. **Motion Made** by Patrick Fasanello to accept the minutes of May 11, 2009 with the recommended correction. Second by John Spillane. Vote 4-0-1, Turner abstained.

All abatements submitted tonight are reviewed, discussed and signed by the Board.

THE TRAILS DEFINITIVE SUBDIVISION

All information relating to this subdivision is reviewed and discussed. There is some discussion on the available information. **Motion Made** by Kevin Muti to concur with the comments of the Town Engineer. Second by Ken Fettig. Vote 5-0-0.

Mr. Fasanello asks if anyone found out who oversees drainage. There was some discussion and the secretary agrees to investigate and find out who has authority over the drains in town.

15 OLD TOWN ROAD –WATER TICKET APPEAL

The homeowner at this address is appealing because he first received a warning on May 21, there was an issue of him and his wife being out of town and returning at different times, his wife calling the irrigation company to reset the timers after shutting the system off and the irrigation company setting the timers wrong. There is discussion on this and the Superintendent asks that the Board look at their daily usage before considering any waiver to the fine. Also, he suggests that the Board remain consistent as there was a warning issued and this is the reason we issue a warning first rather than fine immediately. The Superintendent feels if the homeowner wishes to recoup his fine money he might want to approach

the company that set the timers wrong, as this Department is not in the practice of taking up issues with irrigation companies that performed work for the homeowners. **Motion Made** by John Spillane to deny the homeowners request to waive the fine of \$50 for the water violation at 15 Old Town Road. Second by Kevin Muti. Vote 2-3-0, Fasanello, Turner and Fettig against. **Motion Made** by Roger Turner to reconsider the motion. Second by John Spillane. Vote 3-2-0, Fasanello and Fettig against. There is further discussion on this request. Mr. Mattson says there is no point using our forces to ticket these people if the Board is not going to enforce their own regulations. These people have been the owners or record at this address since March 2002, we have had water management policies in place every year, so to claim ignorance should not be an acceptable reason. **Motion Made** by John Spillane to keep the fine of \$50 for 15 Old Town Road as assessed. Second by Roger Turner. Vote 3-2-0, Fasanello and Fettig against.

REQUEST FOR CONSIDERATION – BETHONY RENTAL PROPERTY -557 EAST ST

All available information was reviewed and discussed. Although Mr. Bethony claims the meter is defective, Mr. Mattson says he must have misunderstood the explanation. He says according to his staff the remote slowed over a period of 9 years which was the last time a reading was of the meter was obtained. When the reading was obtained there was a difference of 79424 cubic feet between the remote reader and the meter. This caused a bill for Mr. Bethony's rental property of \$8,264.91. However, because this usage occurred over a period of years the account was prorated to give the property owner the benefit of the lower rates when used. This caused an abatement of \$4,209.87 however Mr. Bethony is still not happy with the bill. It is asked if the water that was billed for had actually passed through the meter and the answer is yes. **Motion Made** by John Spillane to notify Mr. Bethony that the bill in question stands, as prorated. Second by Roger Turner. Vote 5-0-0.

DISINFECTION PROCESS – RE-REVIEW

Mr. Fasanello says he asked that this be put on the agenda because he is very disappointed that the trihalomethanes have not gone down as much as he expected when changing from chlorines to chloramines. He would have liked to have used ozone. Mr. Muti mentions the expense of ozone and Mr. Mattson adds that we do not have the properties for ozone. Mr. Fasanello says he would like us to take another look at things as 80 is the federal limit and we were in the 60's. Mr. Mattson says we had been in the 120's and now we are in the 30's. There is discussion and Mr. Fasanello says he would like to have other options investigated to bring the numbers down further. Mr. Mattson says this could be done but it depends on how much the Board wants to spend. There is an explanation on how when peat and humus are combined with chlorine we end up with trihalomethanes in our water. Mr. Mattson asks if the goal is to reduce further or totally remove and Mr. Fasanello says totally remove. Mr. Muti suggests that we at least take a look at the options and keep it on the agenda. Mr. Fasanello says he will follow up on things and Mr. Mattson says he could probably get a brief summary of the options from their consultant at no cost.

TOLL BROTHERS IRRIGATION REQUESTS (TB IRRIG)

The secretary explains that there is one additional request that was not included on the agenda as it came in late but it is for 16 Olympic Ct. **Motion Made** by John Spillane to approve the irrigation requests for 76, 101, 109, 140, 141, and 149 Endean Dr., as well as for 16 Olympic Ct., provided that all requirements of the Superintendent of Sewer and Water are met. Second by Patrick Fasanello. Vote 5-0-0.

7:30 PUBLIC RATE HEARING

Motion Made by Roger Turner to open the Public Rate Hearing. Second by John Spillane. Vote 5-0-0. Chairman Muti officially opens the hearing at 7:39 p.m. The Board decides to follow past practice and go through the current fee schedule to hold any items that someone wished to discuss or change. Mr. Fasanello says it is his intention to approach the MWRA about our Septage Receiving Facility and the fact that it is just sitting there unused although we were forced to build it. Mr. Mattson says it was the DEP that forced us to build it and Mr. Fasanello responds that he knows that but he wants to talk to the MWRA about it.

Mr. Fasanello also says he would like to see pool fills from the hydrant for a price and Mr. Mattson responds that we have done this in the past but it becomes a headache because of trying to get hose from the Fire Dept. and taking the time from employees to actually do this. Mr. Spillane feels it does not take that much more effort to fill your pool with a garden hose.

The proposed new water rate of 6.09% increase is discussed. Mr. Fasanello asks why we are adding a person to the Water Dept. office when other departments are laying off people. Mr. Mattson explains that we are eliminating a part time worker and replacing it with a full time worker. This will eliminate laying off one of the clerical people. Mr. Fasanello does not like this idea as he feels it is a padding that is being charged to the rate payers. He would rather leave the rate as it is and not hire this additional person. He feels if everyone else is tightening their belts so should the Water Dept. Mr. Fettig talks about comparing the worksheet from 2008, stating salaries is up 6%, operations is up 8%, some of the other items are lowered and feels we should take the capital outlay from revenues and hold the rate at 44.07. Mr. Mattson responds that this is already the case. Mr. Fettig suggests then taking another \$270,000 from retained earnings to maintain the rate. Mr. Spillane says while we are speaking about retained earnings he wanted to Board to know that he recently questioned the Finance Director about where our interest was going and he was told that it is 1% interest and it is going to the general fund. This is about \$6,000 per year but he told him it should not be going into the general fund as it is Water Dept. money. Mr. Fasanello still questions what right administration had to add a person to the Water Dept. from another department and Mr. Mattson responds with all due respect each Commissioner received a budget package to look at and that would have been the time to question things. Mr. Mattson says the Board can use more retained earnings to reduce the rate but they will have to go to Town Meeting in October to request they be allowed to do this. Mr. Turner says he would rather stick with the rate that was provided by our financial experts and not deplete our capital amounts. If we have no money in the "kitty" we may have to raise rates 12 to 15% next year. He does not feel that would be a good approach for the rate payers, he thinks small increases is the cautious way to go. Mr. Muti asks about applying half the amount to avoid peaks and valleys. Mr. Mattson proposes using \$100,000 additional of the retained earnings and readjusting the consumption from 83 million to 85 million.

Motion Made by John Spillane to increase capital from \$270,000 to \$370,000 and use \$100,000 for rate stabilization, also base calculations on 85 mcf instead of 83 mcf. This would cause a .92% increase and put the rate at 44.47 per 1000 cubic feet for fiscal year 2010. Second by Ken Fettig. Mr. Fasanello would like to go a little further and keep the rate as it is as a good faith measure. Mr. Turner speaks in opposition of depleting our retained earnings. Vote on the motion 4-1-0, Fasanello against.

The proposed new sewer rate is discussed. Mr. Mattson reports that Hollingsworth and Vose is down on their sewer discharge by 2mcf for the same period last year. He says that the sewer operating budget is bare bones at \$114,000 to run 60,000 miles of pipe and the rate is still proposed at \$75.17 due to the MWRA assessment. There is discussion and the Board is in agreement that it is what it is.

Motion Made by Roger Turner to set the sewer rate for fiscal year 2010 at \$75.17 per 1000 cubic feet. Second by Kevin Muti. Vote 3-2-0, Fettig and Spillane against.

The rest of the held fee schedule items are gone through one at a time

Motion Made by Roger Turner to set the non assessable sewer entrance fee to \$2800. Second by Ken Fettig. Vote 5-0-0.

Motion Made by Roger Turner to set the rate for out of town sewer cost at \$83.00 per 1000 cubic feet. Second by Ken Fettig. Vote 5-0-0.

Motion Made by Kevin Muti to set the rate for out of town water cost at \$56.00 per 1000 cubic feet. Second by Ken Fettig. Vote 5-0-0.

Motion Made by Ken Fettig to set the rate for a seasonal second meter cost rate at \$53:50 per 1000 cubic feet. Second by Roger Turner. Vote 5-0-0.

Motion Made by Roger Turner to set the rate for a hydrant meter use charge at \$225. Second by Patrick Fasanello. Vote 5-0-0.

Motion Made by Roger Turner to set the rate for a second water meter for outside water use at \$225. Second by Patrick Fasanello. Vote 4-1-0, Fettig against.

Motion Made by Roger Turner to set the water service line minimum rate at \$4700 and to continue with the formula that is currently used for the water service lines a, b and c of the fee schedule. Second by Patrick Fasanello. Vote 4-1-0, Fettig against.

Motion Made by Roger Turner to set the rate for the fire sprinkler service line at \$2550. Second by Patrick Fasanello. Vote 4-1-0, Fettig against.

Water Management Violations are discussed. **Motion Made** by Patrick Fasanello to reduce the first offense for a water violation to \$25. Second by Ken Fettig. Vote 2-3-0, Spillane, Muti and Turner against. There is discussion and Mr. Mattson says he believes to reduce it would be a mistake to decrease the amount, as anyone who abuses the policy will do such whether or not it is \$50. **Motion Made** by Kevin Muti to increase the first offense for a water violation to \$75. Second by John Spillane. Vote 3-2-0, Fasanello and Fettig against. There is then discussion as to whether or not the Board can change the amount without town meeting approval as it is in the police by laws. This will be looked into. **Motion Made** by Roger Turner to reconsider the previous vote. Second by Ken Fettig. Vote 3-2-0, Fasanello and Fettig against.

Motion Made by Roger Turner to keep the water management violation fines the same as they are now on the fee schedule. Second by Ken Fettig. Vote 3-2-0, Fasanello and Muti against.

Motion Made by Roger Turner to instruct the Town Administrator to take the appropriate action for the Fall Town Meeting that would allow this Board to take an additional \$100,000 from retained earnings and have Finance Director Mark Good readjust our figures and provide this Board with new paperwork. Also that all rates voted in this hearing shall go into effect July 1, 2009. Second by Ken Fettig. Vote 4-1-0, Fasanello against.

Motion Made by John Spillane to close the public rate hearing. Second by Roger Turner. Vote 5-0-0. Hearing closed at 8:47 p.m.

Motion Made by Kevin Muti to thank John Spillane for his past years of dedicated service to the Sewer & Water Commission as Chairman. Second by Ken Fettig. Vote 5-0-0.

Mr. Mattson informs that he spoke with Christine of GeoInsight with regard to the PIP at the former Metal Bellows site. She wanted to know what the main concern of the town is and he related that it

would be that on site remediation remains indefinitely. GeoInsight will be attending our July 27th meeting.

Mr. Mattson reports that there is another phone carrier interested in using our water storage tank.

Motion Made by John Spillane to adjourn. Second by Patrick Fasanello. Vote 5-0-0. Meeting adjourned at 8:58 p.m.