

**July 26, 2010**

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, July 26, 2010 at 7:00 p.m. at the Edward J. Delaney Water Treatment Plant, 1303 Washington St.

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

**Motion Made** by John Spillane to accept the minutes of June 14, 2010. Second by Roger Turner. Vote 4-0-0.

#### **WATER METER INSTALLATION REFUSAL**

Mr. Mattson explains that this homeowner has refused to allow us to replace his meter. Mr. Mattson says Mr. Letcher was questioning the amount he has been billed and whether or not his meter was working properly. The Town has sent him all the information he requested and told him we would remove the meter and test it at no cost to him. He was supposed to schedule an appointment but has not done this. There have been several attempts made to work with this gentleman to no avail. **Motion Made** by John Spillane to give Mr. Letcher 2 weeks from today or until August 9, 2010 to let us replace his meter or the water will be turned off. Second by Ken Fettig. Vote 4-0-0.

Mr. Mattson says there were 56 certified letters sent from cycle 6 giving them one more opportunity to schedule an appointment before being referred to the Board, 19 of these remain outstanding. **Motion Made** by John Spillane to give these 19 accounts 2 weeks from today or until August 9 to schedule an appointment to replace their meter or their water will be turned off. Second by Ken Fettig. Vote 4-0-0. Mr. Mattson says he will have his staff attach notices to the doors tomorrow.

#### **REQUEST FOR IRRIGATION SYSTEMS**

All requests on the agenda tonight are reviewed. **Motion Made** by Kevin Muti to accept the requests for irrigation systems conditional on all guidelines of the Superintendent are met, for the following addresses; 29 Lexington Dr., 32 Olympic Ct., 57 Endean Dr., 21 Lexington Dr., 19 Lexington Dr., 15 Anderson Way, and 129 Endean Dr. Second by Ken Fettig. Vote 4-0-0. **Motion Made** by Kevin Muti to add wording to the approval letter that would state that the owner of the irrigation system is responsible for maintaining their system and they should become familiar with the operation of their system so that it operates in accordance with the Town's restrictions. Second by Roger Turner. Vote 4-0-0.

#### **7:15 APPT. WATER VIOLATION HEARING – 84 ENDEAN DR.**

Mr. Davignon is present for this hearing. Mr. Mattson explains that there were 3 citations issued, a warning, 1<sup>st</sup> offense carrying a fine of \$50 and 2<sup>nd</sup> offense which carries a fine of \$100 and a hearing for discontinuation of services, which is what we are here for tonight. Mr. Davignon explains his situation and says one of the violations stated that he did not have his system inspected by the Town and he was unaware of this requirement. It is explained to him that his approval to install letter included this requirement along with the other components required for an approved system. Also the homeowner is responsible for his own system. Mr. Muti says that people need to take responsibility for their systems and that the Water Management Policy is in place for the health and safety of the entire resident in Town. He says the purpose of the first warning being issued without a monetary fine is to alert the

homeowner of the policy and to give them the opportunity to correct whatever the problem might be. He expresses concern over those who are issued subsequent tickets and he would like to remain serious and consistent in addressing them. There is discussion. **Motion Made** by Kevin Muti to let the \$150 fines stand as charged. Second by John Spillane. Vote 3-1-0, Fettig against.

### **VIOLATION APPEAL LETTERS**

**Fogarty, 60 Millbrook Ave.** Mr. and Mrs. Fogarty are present although they did not have any appointment. Mr. Mattson explains that the Fogarty's had received a warning and a 1<sup>st</sup> offense, at which time they wrote a letter to see if the Town would waive their tickets. After the Town received the letter a 2<sup>nd</sup> offense ticket was written for this address. Mr. Fogarty said they did not know that the Water Management Policy was consistent every year. He adds that Norwood Irrigation puts on their system every year and he thought it was taken care of. He asks the Board to look at his record as they pay their bills on time. Mr. Fogarty says his system was programmed wrong and his grass is all burnt. He feels he was not abusing; there was merely a technical glitch. Mr. Fogarty says he does not have a rain sensor. Mr. Muti says he would like to stick with being consistent. Ms. Fogarty asks how it is determined what neighborhoods to look at and it is explained to her. She also asks how many people are sent to scout these neighborhoods and Mr. Mattson answers that there is essentially one person. Mr. Muti says we need to remain consistent with these water violation tickets. **Motion Made** by Roger Turner to stick with our policy and leave the \$150 in fines, in place. Second by John Spillane. Vote 4-0-0.

**Hora, 128 Endean Dr.** The Board has a letter requesting permission to install an irrigation system and requesting that the warning ticket be removed from his record. There is discussion. **Motion Made** by Kevin Muti to approve the irrigation system and to keep the warning violation in place. The property owner should be made aware that they are required to adhere to the Water Management Policy and if abused they may be required to remove their system from our water supply as well as be fined. Second by John Spillane. Vote 4-0-0.

**Delatorre, 27 Olympic Ct.** Mr. Delatorre has one letter in which he says he failed to request permission to install his irrigation system and he received a warning ticket on an odd numbered day and his house is odd numbered, therefore no violation. **Motion Made** by John Spillane to send a letter to Mr. Delatorre stating the installation of his system is not approved pending the outcome of the hearing that will be held at the Board's next meeting which is August 30, and payment of all fines cited for this address which will stand. Mr. Delatorre should not use his system until this situation is totally resolved. Additionally, he should be made aware that the citation that was issued on the odd day was for using an unauthorized system. Second by Roger Turner. Vote 4-0-0.

**Hodges, 48 Endean Dr.** Mr. and Ms. Hodges have two letters before the Board the first is to request permission to install an irrigation system. He indicates that he was not aware of the Board's requirement and therefore received a warning and subsequently a \$50 ticket. He is also asking for a waiver of the \$50 fine. **Motion Made** by Kevin Muti to maintain the \$50 fine and to approve the installation of the irrigation system which should not be activated until the fine is paid and the inspection of the irrigation system is performed to make sure that all criteria required by the town is met. Second by Ken Fettig. Vote 4-0-0.

**Oremland, 1260 Washington St.** In his letter, Mr. Oremland asks that, although a warning, this citation be “expunged” from his record as it was unintentional. **Motion Made** by John Spillane in an effort to remain consistent that this warning be maintained. Second by Kevin Muti. Vote 4-0-0.

**O’Leary, 44 Buckboard Dr.** Mr. O’Leary asks for his violation to be waived due to the fact that after setting his system he went on vacation and was not aware that there was an error in his setting and subsequently received a \$50 fine. **Motion Made** by Kevin Muti to notify Mr. O’Leary to be consistent that the fine stands. Second by John Spillane. Vote 4-0-0.

**Piasecki, 11 Cypress La.** A letter from Mr. D’Agostino and Ms. Piasecki says that they were away on vacation, and unaware of the new time restrictions. In addition to this they say their system malfunctioned causing them to receive three violations. In addition to the \$150 in fines, there was to be a hearing for discontinuation of service. **Motion Made** by John Spillane to deny the request for waivers of these fines and if they choose to disagree they can contact the office for a hearing before the Board for determination of discontinuation of services. Second by Kevin Muti. Vote 4-0-0.

**Lanier, 16 Old Town Rd.** Mr. Lanier’s letter asks that the fine of \$50 be waived as he was unaware of the restricted times for his irrigation system. **Motion Made** by Kevin Muti to send a letter to Mr. Lanier denying his request for his ticket to be waived. Second by Ken Fettig. Vote 4-0-0.

**Perreault, 4 Shady La.** This address received a warning and a first offense which carries a fine of \$50. Mr. Perreault writes that he is exercising his right of appeal for his first offense. **Motion made** by Kevin Muti to send a letter to Mr. Perreault stating that his find stands. Second by John Spillane. Vote 4-0-0.

**Luniewicz, 55 Wagon Rd.** There was a warning and first offense for this address and Mr. Luniewicz requests forgiveness. **Motion Made** by Kevin Muti to deny the request for forgiveness. Second by John Spillane. Vote 4-0-0.

#### **REQUIRED HEARINGS AND/OR CRIMINAL COMPLAINTS FOR WATER VIOLATIONS**

**Umesh, 18 Anderson Way-** There are three violations issued for this address which carries a total of \$150 in fines and a hearing for discontinuation of service. **Motion Made** by Kevin Muti to send a letter to Mr. Umesh stating that his hearing is scheduled for August 30 which is the Board’s next meeting and that he now has a fine of \$150.00. Second by John Spillane. Vote 4-0-0.

**DeRenzo, 56 Millbrook Ave** The secretary says that a letter came in by fax from Mr. DeRenzo today appealing his tickets however the agenda was already closed. The Board is in agreement that Mr. DeRenzo is not only a past offender, but based on the tickets a hearing needs to be scheduled and/or criminal complaint needs to be filed. **Motion Made** by Kevin Muti to deny Mr. DeRenzo any fine waivers and to schedule a hearing for August 30 after which a determination on criminal complaint filing will be made. Second by Ken Fettig. Vote 4-0-0.

#### **FY 11 MWRA ASSESSMENTS**

Mr. Mattson reports that the MWRA Assessment came in \$277,305 less than what was budgeted for and the Board must decide how they want to deal with it. He says the options are to just leave the rates alone or to have another rate hearing to adjust the rate, if this is the case he will get the information for

breaking out the figures. There is some discussion Mr. Spillane says he is leaning towards leaving things alone, as he does not believe there would be a significant difference in the rate. Mr. Mattson says if it is to be reduced then there needs to be an article placed on the warrant for the Fall Annual Town Meeting in October. Mr. Muti agrees with Mr. Spillane and adds that this would be that much less of an increase for the next fiscal year. All other members present agree to leave the rate as it is.

#### **WATER MANAGEMENT PERMIT/COMMENTS/EXTENSION**

Mr. Muti says that Ian Cooke, of NEPRWA, had contacted him and if the rest of the Board can make it, instead of meeting August 23<sup>rd</sup>, it can be rescheduled to August 30<sup>th</sup> so Ian can make it. The purpose of the meeting is to discuss DEP's Water Management Permit and the comments made to DEP by Mr. Cooke. Mr. Mattson says the permit comment period has been extended as he requested to October. He says his problem with Mr. Cooke's comments is that they were sent to DEP without us seeing them. Time will be set aside at a newly posted meeting of August 30<sup>th</sup> for Mr. Cooke.

Mr. Mattson reports that Washington Wells 2 and 3 are complete and he received a verbal okay from DEP. The filters were painted and he was not real happy as there are some holidays. The dehumidifiers are scheduled for tomorrow. He adds that Phase 2 is next which will be aeration, fix the walls, the sludge system and vertical turbines. He reports that the groundwater is dropping. Mr. Fettig asks that we meet 15 minutes early at our next meeting to do a walk through of the plant. Mr. Mattson says they can do this now. The Board agrees.

**Motion Made** by John Spillane to adjourn. Second by Kevin Muti. Vote 4-0-0. Meeting adjourned at 8:45 pm

*Accepted September 13, 2010*