

February 25, 2013

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, February 25, 2013 at 7:00 p.m., at the Edward J. Delaney Water Treatment, 1303 Washington Street.

Present: James Taylor, Roger Turner, Ken Fettig, Patrick Fasanello and Kevin Muti.

All abatements submitted tonight are reviewed, discussed and signed. The Superintendent's update is noted.

Motion Made by Kevin Muti to accept the minutes of January 14, 2013. Second by James Taylor. Vote 5-0-0.

BOA AND PLANNING BD. REQUEST FOR COMMENTS – LUBOLD, 254 PLIMPTON ST

All information is reviewed and discussed. **Motion Made** by Kevin Muti to send letters to the Board of Appeals and Planning Board stating that this Commission concurs with the comments of the Town Engineer with regard to the above subject. Second by James Taylor. Vote 5-0-0.

EASTLAND CIRCLE WATER ORDER

Mr. Fasanello says this was discussed at our previous meeting and before us is the document that needs to be adopted and recorded to enable the homeowners of Eastland Circle to be assessed a betterment for the water main installation. **Motion Made** by Kevin Muti that the Sewer & Water Commission adopt the order to instruct the Town Administrator to proceed with the work of laying out and construction of a water main in Eastland Circle and further voted that the betterments for this project not exceed \$5,700.91 per "unit" benefitting from said water main. Second by James Taylor. Vote 5-0-0.

SITE INVESTIGATION NOTICE – WALPOLE WOODWORKERS PROPERTY

Mr. Muti expresses concern over the fact that this document shows not plan of action to clean up the site, it rather just tells of a lot of issues. Mr. Fasanello says it appears to need more investigation. There is discussion on inviting HTE Northeast Inc. into our meeting and Mr. Muti feels this is a good idea. Mr. Fasanello feels Mr. Muti would be a good candidate to take the lead on this subject and asks the Board if they have a problem with him taking the lead as representative for this Commission under 310 CMR 40.1405. Mr. Fettig wonders if the Board of Health should be the lead and Mr. Fasanello explains that Mr. Muti would be the lead representative for this Board. Mr. Muti says he needs to take a closer look at 310 CMR. Mr. Fettig feels this site needs to be closely examined. Mr. Muti asks that HTE be invited to our meeting of March 25th to learn what the plans are to clean up the site. This will be done.

Mr. Muti asks to take Old Business #2 out of order. **Motion Made** by James Taylor to take Old Business #2 out of order. Second by Kevin Muti. Vote 5-0-0

SEWER UTILITY CONVEYANCE, NORTHRIDGE VENTURES

Present for this agenda item are managers Sean McEntee and Michael Viano, and the new property owners of Lot 1 Mr. and Ms. Stewart of Northridge Ventures. Mr. Fasanello says that the document that they are being requested to sign is for the force main that was installed of which two were installed and this particular one is being conveyed to the Town of Walpole. Mr. Viano says yes. He then says he is speaking on behalf of the Northridge Homeowners Association, with Mr. McEntee. He says Mr. and

Ms. Stewart were in the process of seeking a building permit where they were told they would be assessed an I/I charge for a 3 bedroom house which was over and above the cost of the sewer connection

that was approved in June. Mr. Viano says there was brief conversation with the Superintendent with regard to applicable I/I fees however he contends that this homeowner association is not an extension but rather a single connection. Mr. McEntee says he has done a lot of research regarding these fees and reviewed fee schedules obtained from the Commissioners office, the Clerks office (who only had FY12), and on line, none of which indicated the 4 to 1 ratio. He then researched past fees schedules and the ratio was not published nor is it published in the Board's rules and regulations. Mr. McEntee says since it is not published it should not be applicable. Additionally, since they believe this to be a connection and not an extension they should not have to pay I/I. Mr. Viano says he spoke to the Superintendent and was told that once they hear what Weston and Sampson have to say the Board may touch on the rates. Mr. McEntee recites the definitions of extensions and connections and says the homeowners association would come under the definition for a connection. Mr. Fasanello says that Weston and Sampson will be at our next meeting to review their numbers and this Board is not prepared to make a decision until they hear both sides. Therefore they will have to wait 2 weeks for the Board to determine what is to happen here. Mr. McEntee says Weston and Sampson are engineers and he believes this to be more of a policy/legal issue. Mr. Stewart says he was a former builder who plans to build this home himself. He started the process the week before Christmas and would like to get his building permit. Mr. Fasanello says again he would like to hear the other side, so Mr. Stewart asks if he could get the sign off anyway and he is told he will have to wait 2 weeks. The discussion goes back to the utility conveyance and the Board is told that it has been reviewed by Town Counsel and ready to be signed. There is then discussion on whether or not this is in writing and it is determined that this is not the normal practice. **Motion Made** by James Taylor to require that prior to signing the document the Board receives a written statement from Counsel stating that they have reviewed the document and it is satisfactory. Second by Roger Turner. Vote 2-3, Fettig, Muti and Fasanello against. This is not a vote and the document is signed.

JOHN FARRELL, 16 NEW FISHER LANE – PIPE DAMAGE

Information is reviewed and the Board is told that there is no action required as it is before the Town's insurance company for determination. Mr. Fasanello says if he recalls correctly the lateral is the homeowner's responsibility to the main and therefore would be his problem anyway. No action is taken.

SITE PLAN DECISION – MURPHY 555 BOSTON PROV. HWY.

It is explained that this is the decision of the Planning Board. Mr. Taylor asks if the 4 hydrants he required were added and he is told that the Fire Dept. determined the hydrants. Mr. Taylor says we are the Commission and no one has the right to override our decision and he intends to take this up with Fire Chief Bailey. There is attempt to explain to Mr. Taylor that we make recommendation and based on all input from the various departments then Planning Board makes a site plan decision. Mr. Taylor does not accept this explanation and says he wants to see our request in writing and the minutes. He is upset that his 4 hydrants are not installed. **Motion Made** by James Taylor that Mr. Murphy be required to put 4 more hydrants at this site for the protection of the neighborhood behind the site. There is no second.

HIGH OAKS IV CONDITIONAL PUMP STATION AGREEMENT

Mr. Fasanello says upon seeing this agreement in writing that his is satisfied and any concerns he had are addressed. Mr. Turner says he does not like the Town owning the pump station. Mr. Fasanello says the station is sized right and he did everything right. The station is 20+ years old and his is putting up the money to replace it when it croaks. Mr. Taylor says this Board voted not to own any more pump

stations and we should not be taking this one. An attempt is made to explain to Mr. Taylor that the agreement to take ownership of this particular station was made 20 years ago and therefore grandfathered. Mr. Taylor will not hear of the explanation. He does not agree that we should be taking ownership of the pump station for this subdivision. He is told that several meetings ago he was

presented with the documentation that showed we had previously agreed to take ownership of it. He says he does not remember this and will be in the office tomorrow to see these documents.

THANK YOU NOTE – R&K DAMASO, 6 EASTLAND CIRCLE

This is a thank you note for the water line that was installed and is read and noted.

SECRETARY'S EVALUATION

Mr. Fasanello says he filled out the evaluation and asks the Board for any comments, input or changes. There are none. **Motion Made** by Kevin Muti to approve the valuation as submitted. Second by Ken Fettig. Vote 5-0-0.

SEWER AND WATER SATM ARTICLE 7 AND 8 BACK UP

Mr. Muti says these articles were already voted and he is told that this is more informational to show the back up that was submitted. Mr. Fettig brings up the trucks in each article. He says #461 is only 5 years old and does not understand how it wore out so quickly. Mr. Taylor says they don't even make these Ford Rangers anymore and we should try a GM. Mr. Fasanello says in Article 8 there is a new addition to the fleet. Mr. Fettig wonders if we need an additional vehicle as the reason was our men need to wait for transportation and he does not see that is reason to spend this much money. Mr. Fasanello agrees with Mr. Fettig. Mr. Turner feels Mr. Mattson gave a good presentation at the last meeting with legitimate reasons for the needs he presented. There is discussion and Mr. Taylor insists that they should try something other than Ford. Mr. Fasanello asks if all are happy with what they voted on Article 7 and there is no objection made. Mr. Fasanello then brings up Article 8. **Motion Made** by Patrick Fasanello to reconsider Article 8 and take no action on the additional fleet vehicle. Second by James Taylor. Vote 3-2-0, Muti and Turner against.

BOARD OF APPEALS SEPTAGE FACILITY DECISION

One of these decisions is the original from 1989 and the other is a request by this Commission to reconsider some of the conditions and that was in 1993. Mr. Fasanello says when he goes to Board of Appeals he is bringing the haulers with him. He is the cause for Canton closing and he feels an obligation to make sure that the facility is available to them when they need it. The plan is to give them 24 hour access via cameras and entrance cards. Mr. Turner feels the conditions need to meet current day standards. Mr. Muti suggests that Mr. Mattson model conditions by today's standards for the Commission. They then can review them and make any recommendations or changes and then they can bring these to the Board of Appeals. All Board members agree that this is a good idea. Mr. Fasanello says he is of the opinion in speaking with State authorities that because DEP partially funded our facility they are willing to work with us to allow MWRA and non MWRA Communities to use the facility.

As discussion, Mr. Fasanello says he would like to see included in our regulations when some calls for information on water usage and/or what a specific person is paying, the information should not be released without the expressed consent of the Sewer & Water Commission unless it is the water rate payer himself asking for it. He says he does not expect action tonight but is throwing it out for thought.

Motion Made by Kevin Muti to adjourn. Second by James Taylor. Vote 5-0-0. Meeting adjourned at 8:20 p.m.

Accepted March 11, 2013