

March 25, 2013

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

Present: Patrick Fasanello, Roger Turner, James Taylor, Kevin Muti and Ken Fettig. Also, Rick Mattson, Supt. of Sewer and Water.

John Spillane, Joe Moraski and Cliff Snuffer were present as public meeting participants.

SUPERINTENDENT'S STATUS REPORT

Mr. Mattson reports that progress of the new tank project has slowed due to inclement weather condition. The next construction meeting is next Tuesday. He has received complaints from abutters of runoff that is flooding their property. The complaints have been investigated and it is his opinion as well as the opinion of the site engineer that the flooding is not caused by this project. Mr. Mattson then speaks of the \$250,000 for a 120 foot on site antenna tower, which will most likely open a can of worms with abutters. He says a decision about the steel tank needs to be made because if the Board opts to go higher it will block the antenna signal. Mr. Turner says microwave is needed. The antenna tower could never be greater than 180 feet. Mr. Mattson says the issue is a decision needs to be made as soon as possible. His suggestion would be to use the money for the antenna tower towards the construction of the tank and then put the tower on the tank. Discussion is held and Mr. Mattson asks that a decision be made soon. He then reports his meeting with FinCom and Capital Budget. With regard to Article 7 there is no action taken for the vehicle replacement. In Article 8 the new vehicle was a favorable vote however no action was taken on the surveillance cameras at the Septage Facility. With regard to the new radio/communication system \$5750 from water and \$5750 from sewer would be the costs. Mr. Fettig asks if will come out of our funds and Mr. Mattson responds it is Sewer and Water share of Public Works. Mr. Turner says he believes all will be pleased with the new system. Mr. Muti refers back to the abutters complaining of runoff. Mr. Mattson says he had 2 abutters complaining of basement and side yard flooding. He says it will be monitored as the weather dictates and it is well documented. He sees no indication of surface water and one of the residents admitted he has had water in the basement in the past.

Motion Made by Ken Fettig to accept the minutes of March 11, 2013. Second by Kevin Muti. Vote 5-0-0.

REQUEST FOR CONSIDERATION – POWER, 591 COMMON ST

Mr. Mattson reports that this is a situation where the KP system picked up a large water usage and the department called. It resulted in the homeowner discovering that his outside hose was on for some unknown reason. He is looking for consideration on the sewer charges. **Motion Made** by James Taylor to abate \$401.23 of sewer charges on the account for 591 Common Street. Second by Ken Fettig. Vote 5-0-0.

BD. OF APPEALS REQUEST FO COMMENTS – 2275 RTE 1, PSA MEDIA

This is a billboard to be erected at this site which is in the WRPOD. Mr. Muti asks if it is existing or new construction and Mr. Mattson says he believes there is still confusion over this. Mr. Fettig wonders what harm it could do. Mr. Turner says it is indicating that it is an electronic messaging board. The

elements to be used i.e. video, LED or whatever, is unknown and until this is known this Board cannot provide comment as this would make a difference how it could affect the water protection area should the billboard ever be knocked down. **Motion Made** by Roger Turner to send a letter to the Board of Appeals stating this Board needs more information as to what they mean by electronic messaging before they can provide comment. Second by James Taylor. Vote 5-0-0.

CONCOM REQUEST FOR COMMENTS ANRAD AT 315 SUMMER ST.

Discussion is held and Mr. Mattson explains that this is a single family house where the sanitary sewer location requires him to file the ANRAD. Discussion is held and the Board agrees that they need a more detailed building plan as they are not seeing enough of the layout of the house to provide comment. A letter will be sent to the ConCom stating this.

7:15 APPT. ERIC TEALE, 315 SUMMER ST. ANRAD, CONCOM REQUEST FOR COMMENT

Mr. Muti would like Mr. Teale to highlight where he is now and what the plan is for a full clean up. Mr. Teale says he is working under the MA Contingency Plan and working for Walpole Woodworkers. He says there is a sequence of plans by law that must be followed starting at the date of notification which was February of 2012. He says when other developers were interested in the property information was confidential. When the deal fell through the developers provided Woodworkers with data. Once it was provided to them, he was provided with the information for review and it became a reporting obligation (120 days from date of knowledge). Mr. Teale then gave a schedule of phases for the Contingency Plan. The clean up would be a joint decision between the LSP and the owner based on the use of the property. Mr. Teale talks of 3 areas to be targeted with the rest of the site not needing remediation. He breaks down the 3 areas and the findings; the back site showed wood fill, scrap iron, with low concentrations of poly aluminum hydrocarbons (petroleum based); the wetlands are of high concern showing total lead where they will put additional monitor wells to try to find a footprint; the other area down gradient from the wetlands will need more monitor wells to see if they show arsenic. Once the MA Contingency is closed out there is Risk Assessment. Mr. Muti asks for a timeline and Mr. Teale breaks it out in phases and says the total timeline is about 5 years. Mr. Turner gives past history of the site. He speaks of the summer jobs for the young, the creosol dipping, outside stain and an irrigation well. There was further discussion on what was discovered at the site. Mr. Teale says the probability of buried drums is very low but they found lots in the fill. Mr. Turner says in many years past much was dumped at the site both publicly and privately. There is then discussion on whether it would be current use or if sold for whatever reason and this would be Use Limitations which is driven by the use of the property. Mr. Turner expresses his concerns. Mr. Fettig asks about Item D in his report which mentions underground storage and asks if they have been tested for leaks. Mr. Teale says all tanks identified have been removed. Mr. Fettig asks if this would have been suitable to site the public works and Mr. Teale says yes. Mr. Fettig says there is a school across the street and asks if a chance the contaminated soil would get across and Mr. Teale responds that soils are heading northwest which is away from the school. Mr. Fasanello asks if any industrial cleaners had been used here and Mr. Teale answers not that he has seen. Mr. Fasanello then asks if there are hydrocarbons, how they would be removed. Mr. Teale says depending on the extent, if the soil is impacted they would excavate and move it out and then pump out the groundwater 3 to 5 volumes of water and then retest. If the test is okay that is good otherwise they would pump again and after this they would treat with granulated activated carbon. Mr. Fasanello asks what form of lead was found and Mr. Teale answers that it was just found in the soil. Mr. Fasanello then asks if it is contaminated why they are not required to put it back to pristine condition. Mr. Teale feels this is a philosophical question and if everyone was required

to do this it would not be achievable. Mr. Fasanello says in other words it is too expensive. Mr. Muti asks how involved the Board of Health is in this and no one seems to know. **Motion Made** by Kevin Muti to send a letter to the Board of Health with this information, tell them we plan to invite Mr. Teale back in six months and suggest that the Health Agent attend this meeting as the Board of Health's representative. Second by Roger Turner. Vote 5-0-0. Mr. Turner asks if there is any mapping or plans and Mr. Teale offers to leave the large report he brought with him tonight and will bring drawings on his next visit.

CONCOM REQUEST FOR COMMENTS NOI FOR 11 SUMMER ST.

Information is reviewed and discussed. **Motion Made** by James Taylor to concur with the comments of the Town Engineer. Second Kevin Muti. Vote 5-0-0.

WESTON AND SAMPSON YEAR 7 SITE INVESTIGATION

Mr. Fasanello says he is quite disappointed that 50% of our sewer discharge is clean water after all the money spent to find this clean water. There is discussion and Mr. Mattson recommends foregoing the construction and just doing the investigation at this time. Later a larger construction job can be put together. He reports that although it is at 50% they have removed over 800,000 gallons of peak flow. **Motion Made** by Ken Fettig to authorize the Town Administrator as the signer of contracts for the Town of Walpole to sign the contract with Weston and Sampson for professional engineering services for Year 7 Investigation and Reporting of the Annual I/I Removal Program. Second by Kevin Muti. Vote 4-1-0, Taylor against.

Mr. Fasanello says the agenda states that there is a 7:45 Executive Session and asks if anyone would like to make the motion to go into executive session and there is no motion.

HIGH OAKS IV DEED AND DEDICATION OF SEWER STATION PARCEL

Mr. Mattson says this is the deed and dedication which has been reviewed by Town Counsel and is informational only. It is considered read and noted.

MAGUIRE REPORT

Mr. Muti and Mr. Fasanello both say that they have read some of the report but are not prepared to discuss it as they would like to finish reading it before they make comment. Mr. Moraski and Mr. Snuffer say they are both here for this discussion and ask to provide some food for thought. Mr. Moraski expresses concern as much of the proposed building is in Aquifer Area 2, where there are 7 wells which is the highest concentration of wells and recharge area in Town. He feels it is very important for this Commission to take a position as soon as possible of the Town will proceed with the Maguire Report. Mr. Fasanello says we would never allow a private entity to build in this area. Mr. Snuffer feels one should treat the Town the same as any other developer and is quite disappointed that the Sewer & Water Commission was not invited to the Maguire Report Roundtable discussion. The Site has 7 wells, in Zone 2 with an enormity of impervious cover. They will be installing parking lots, buildings and much more. He also wonders if the sewer would be adequate here. He then speaks of another proposed site which is across the street, which is wetlands and the Neponset River Watershed. He feels strongly that town meeting needs to know the position of the Sewer & Water Commission. There is further discussion. Mr. Fettig says there is currently a lot of salt and hydrocarbons stored at this site which will be added to and it is not acceptable. It is asked that this be included on the April 22nd agenda to allow the Commissioners time to review the report.

Mr. Fasanello says he attended the MWRA meeting in Wellesley last Thursday and gives an update of what occurred.

Mr. Fasanello says we received an email from Town Counsel with a suggestion on how to approach a possible loss in funds and he agrees. **Motion Made** by Patrick Fasanello to send a letter to the Town Administration to have the Town Accountant review the financial data from the relevant time period and issue a report on the amounts collected, any amounts missing and any amounts credited after restitution. Second by Kevin Muti. Mr. Turner feels that the matter is fully adjudicated and is a closed matter. He feels it is the Town Administrator's position to make any corrections and he would like to let it sit to see the action of the Town Administrator. Mr. Fasanello asks why he does not want to follow the suggestion of Town Counsel and he responds that he feels the issue is closed and does not feel at this point it would be appropriate. Mr. Muti says he sees both sides and would like to see an amendment. He would like to have Town Administration ask the Town Accountant to review the financial data to see if there are any discrepancies. If there are any that the Town Account identifies any and Town Administration is aware of them, he should take the appropriate action to resolve it and if not resolved this Board will entertain going into executive session. Mr. Fasanello withdraws his motion and Mr. Muti withdraws his second. **Motion Made** by Kevin Muti to have Town Administration ask the Town Accountant to review the financial data to see if there are any discrepancies. If there are any that the Town Account identifies any and Town Administration is aware of them, he should take the appropriate action to resolve it and if not resolved this Board will entertain going into executive session. Furthermore Town Administration should inform the Board of Sewer & Water Commissioners of any irregularities of sewer and water funds if there are any. Second by Ken Fettig. Vote 4-1-0, Turner against.

Motion Made by Kevin Muti to adjourn. Second by James Taylor. Vote 5-0-0. Meeting adjourned at 8:40 p.m.

Accepted April 8, 2013