

September 23, 2013

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, September 23, 2013 at 7:00 p.m., at the Edward J. Delaney Water Treatment Plant, 1303 Washington Street.

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

All abatements submitted tonight are reviewed and signed.

Motion Made by James Taylor to accept the minutes of September 9, 2013. Second by Roger Turner. Vote 5-0-0.

SUPERINTENDENT'S STATUS REPORT

As Mr. Mattson explained in his email, the Farinacci tank is full and it passed for leaks. The DEP will be in town Friday at 10:30 to inspect the tank. He is hoping to get approval to put it on line and if so he would probably do this on the following Monday. The demolition of the High Plain Street tanks will be started after this. Mr. Mattson says there is a lot of site work to still be done at the Farinacci tank. He then tells of the leak on Route 1 by the Mall. At first he could not get a detail so they dropped off a cruiser and this worked with the arrow board and they were later able to get a detail. Mr. Mattson informs that the sewer odor 60 day trial in the Georgia Drive area is its 45th day and he started to get a couple of calls from the area. He called the engineer who felt perhaps there is build up in the wet well and suggests that they clean it every month rather than every other. There was a meeting with GeoInsight during the week which will be discussed later in the meeting under Old Business #2. Mr. Mattson says the septage facility was about 120,000 gallons in September with 28% from Walpole and the other 72% from out of town. They had a couple of small leaks and they are flushing the dead end streets. He asks the Board to think of Capital Improvements they would like to as his Budget is due in November. He also asks the Board to figure what they would like to do with the Old Post Road Steel Tank; whether they want to tear it down or repair. There is discussion on the varying costs. Mr. Fettig asks about the lead in the area and Mr. Mattson says the plan is to remove what is necessary to cut and cap the pipes and then they will deal with the rest at a later date. Mr. Taylor asks what is going at the site and Mr. Mattson responds that it will remain vacant as the pump station has to stay there.

MWRA CHANGES TO pH REQUIREMENTS FOR WASTEWATER DISCHARGE

Mr. Mattson explains that the MWRA and the DEP has changed their pH level requirement for wastewater discharge from a low of 5.5 to a high of 12.0 and the Town still has the high level at 9.5. There is some discussion on the higher number being less corrosive and less odor. **Motion Made** by Patrick Fasanello to raise the current pH requirement for wastewater discharge in our rules and regulations from a high of 9.5 to 12.0. Second by James Taylor. Mr. Turner suggests adding to the motion the statement that this is in accordance with the MWRA specifications and Mr. Fettig agrees. Mr. Fasanello says this is not in his motion and does not see a purpose for including it in his motion. Mr. Turner says it would be for historical purposes. Mr. Fasanello says there is no need to add it. Vote on the motion 3-2-0, Fettig and Turner against.

CONCOM REQUEST FOR COMMENTS NOI #5, 7, 9, 10, 11 & 12 LADY SLIPPER DR.

Mr. Mattson explains that these are lots in the High Oaks subdivision that the Toll Brothers now own and the Notice of Intents have to do with the buffer zone. There is discussion and being that Mr. Turner is on the Conservation Commission he explains the 25 foot no alter zone requirement. Mr. Spillane says we should leave this up to the ConCom. Mr. Turner says ConCom has jurisdiction and they look at it very carefully and as a courtesy to the other Boards they will ask for comment. **Motion Made** by Roger Turner to revert judgment of all of these lots and their Notice of Intents to the Conservation Commission. Second by Ken Fetting. Vote 5-0-0.

7:15 APPT. WALPOLE PARK SOUTH DISCUSSION

Present for this discussion is owner Donnell Murphy, his attorney Phil Macchi II and his engineer Dan Merrikin. It is explained that this is on the agenda because the Board had Town Counsel's opinion on this matter at their last meeting and it was determined that it was unfair to have the discussion without the Walpole Park South party present. Mr. Macchi says there are 3 articles on the Town Meeting warrant regarding this and he is trying to avoid any confusion like what happened at the last town meeting. The last thing the applicant has done is responded to the conditions of the Board of Sewer & Water Commissioners. There is discussion regarding the vote taken to "recommend" taking the pump station at Walpole Park South. According to Town Counsel's opinion Town Meeting does not have to take any action on the articles if the Sewer & Water Commission or Board of Selectmen votes to take this pump station. There is discussion on the confusion of not needing town meeting action. Mr. Spillane asks what the applicant is looking for. Mr. Macchi says they were given a letter from the Commission with conditions and all is done with some small outstanding issues and they have supplied a check. They are asking the Board to clarify what they wish to do. Selectman Snuffer asks to speak. He says his opinion is that Counsel interpreted the word "recommendation" to mean a future town meeting vote. How he reads Counsels opinion is if Sewer & Water makes a motion to accept the pump station the Board of Selectmen should follow suit and Town Meeting is not required. Additionally if the Board of Selectmen were to vote to take it then Sewer & Water should follow suit without Town Meeting. Mr. Turner says he feels that they are at a standstill with Sewer & Water and the Board of Selectmen as to where they stand. It was his understanding when he made the motion that he was to make a recommendation. He feels the whole thing should be taken not pieces. Mr. Mattson asks if the recommended repairs cost upwards of \$7,000 why the check was cut for half of this and Mr. Merrikin says it is because they are doing some of the work themselves. **Motion Made** by Roger Turner that the Board of Sewer & Water Commissioners accept the pump station at Walpole Park South as defined in the Fall Annual Town Meeting Article. Second by Ken Fetting. Mr. Fasanello says every time the Town takes a piece of property they are bound to take care of it for example Turners Pond where it now going to cost to fix the dam, and it will have to be taken care of forever. The applicant here which is a private entity has controlled this pump station for over 20 years. It may be in the water shed however there is one across the street that we do not own and he feels we should not be taking them all to protect the aquifer, there has never been a problem here and it would be to the owner's advantage to continue to take care of it. Mr. Spillane says we do not own Gatehouse's pump station and it has cost the Town a lot of money with the problems it has caused. Mr. Fasanello says he does not understand why we should encumber the town with a payment forever. He says 72% of the town is on sewer and this would now be included in the sewer bills. He would rather see remain in private hands. Mr.

Fettig says the current owner has 8 trusts and if he were to sell any one of them and it went bankrupt and that party is partially responsible for taking care of it then it could turn into a mess. The town is here forever and we are not going anywhere. Vote on the motion 3-2-0 Taylor and Fasanello against. Mr. Snuffer says the Commission has now taken the lead position and it is incumbent upon the Board of Selectmen to follow that lead and Town Meeting is now irrelevant.

ZONING ARTICLES PUBLIC HEARING NOTICE BY PLANNING BOARD

This is about the use of medical marijuana and there is no action required by this Board.

DEP'S APPROVAL FOR WATER VENDING AT WALMART

Mr. Mattson explains that this was previously unregistered and it took an e-coli hit. The document before the Board tonight is the approval of DEP for water vending at Walmart. Mr. Fasanello says in other words they are selling our water and Mr. Mattson says essentially yes.

ATTORNEY GENERAL'S WARRANT ARTICLE APPROVALS FOR SATM

This is read and noted.

FALL TOWN MEETING WARRANT

This is read and noted.

NOTICE OF NON COMPLIANCE FROM DEP TO TRN REALTY TR., 2000 MAIN ST

Mr. Mattson explains that this property owner has been cited for noncompliance for oil and/or hazardous materials release at 2000 Main St. for not completing the response action.

AGENT INFORMATION

Read and noted.

DISCUSSION

Mr. Fasanello asks to give an update on his meeting with the MWRA last Thursday. He says as they increase their infrastructure they attract more activity and this is a way to promote this type of activity. He adds, the MWRA is now using UV and we may be forced to do the same in the future because of trihalomethanes and Mr. Mattson responds that our levels are way below the mcl. Mr. Fasanello continues that outlawing domestic garbage disposals was discussed at this meeting. Finally he would like to inform that there is one opening on the executive committee.

7:45 APPT. SEWER PROPOSAL 1600 BOSTON PROV. HWY (GLOSSA/ZARBA)

Mr. Glossa provides a plan that indicates that 1600 Boston Prov. Hwy is an office building that is partially in Walpole and partially in Sharon. Previously this was a manufacturing/bottling site that was approved by the State for 7150 gallons of sewer. They are investigating the possibility of connecting to sewer and getting rid of the septic. Mr. Zarba says he asked for a design of the

septic system that would put him into compliance with Title 5. He then decided to do a cost comparison with septic vs. sewer. The problem is that the building is in two towns and Sharon is not part of the MWRA. They are here tonight to find out the process and to get ballpark prices to connect to Walpole's sewer system. Mr. Zarba says the cost factor is what will determine which way he will go. Mr. Glossa presents his plan for the sewer connection should they allow it and says they are looking for the support of the Board when he goes to the MWRA, an estimated cost to connect to the sewer and the procedure needed to accomplish this. There is discussion on the property being within Zone II of the wellhead protection area and being not too far from the wellheads. Mr. Fasanello and Mr. Spillane both state that a sewer connection in this area would be a good idea. Mr. Mattson says the charge for entrance to the sewer would be determined by residential units which would be approximately \$23,000. Inflow and infiltration costs would be \$235,000 and the MWRA entrance fee would be approximately he would guess to be \$55,000. This does not include what the MWRA would charge for inflow and infiltration. He says this would be considered a straddle connection because Sharon is the Charles River Basin and Legislation would have to be filed thus possibly triggering an inter basin transfer. Mr. Fasanello says the Commission has the right to change the charges for special cases. Mr. Mattson says he would caution the Board from doing something like that. Mr. Glossa says they are taking one step at a time. Mr. Mattson again cautions in particular until they hear from Counsel. He suggests rather than talking dollars for inflow and infiltration that they might want to talk about the number of gallons of I/I the applicant could remove from the system. There is then discussion on how many gallons would have to be removed from our system rather than putting up the money for the removal. It is determined that they would need to remove approximately 20,000 gallons and Mr. Spillane asks if this would be hard to find. Mr. Mattson responds no, there is list with estimated costs. Mr. Turner asks if they could have Mr. Mattson do a work up showing the options and estimated fees. Mr. Mattson says what needs to happen is the local authority needs to be on board before the MWRA will entertain Mr. Zarba's request. **Motion Made** by Patrick Fasanello to poll the Sewer & Water Commission to see if they are in favor of letting this property connecting to Walpole's sewer system. Second by John Spillane. Vote 5-0-0. Mr. Glossa asks if MWRA inflow and infiltration is on top of the Town's and Mr. Mattson says yes and they have a 4:1 ration also. Mr. Mattson says Funway had to pay \$170,000 however their discharge was much more per day than this office building would be. Mr. Fasanello suggests sending a letter to the MWRA and Mr. Mattson says this is unnecessary because they will contact us when the application is submitted to see if we are in favor of it.

8:00 APPT. J.SANTOS, 1900 MAIN ST. APPEAL OF SWC'S COMMENT TO BOA

Mr. Santos explains that this Commission sent a letter to the Board of Appeals stating our concern with the water problems in the area and recommending that a special permit not be allowed. He says he went to the State because it is MA Highway and they said they did not have the funds at this time. Mr. Santos says he is now working with the DEP to correct the problem and hired a botanist to assist him. He has installed a berm to redirect the flow of water here. Mr. Mattson informs that if he installs a catch basin he will need a separator. Mr. Turner says this is before the Conservation Commission and the concern was storm water runoff and suspended solids getting into the wetlands. He says the protection of Cedar Swamp is important. Mr. Santos says he is trying to do things the right way and this is why he got the DEP involved so that he can address things properly. The Commissioners are in agreement that the site is looking much better. **Motion Made** by John Spillane to send a letter to the Board of Appeals stating that

this Board met with Mr. Santos with regard to 1900 Main Street and is satisfied with the way Mr. Santos is addressing the water problems in the area. Second by James Taylor. Vote 5-0-0.

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

Accepted October 28, 2013

James Taylor, Clerk