

February 13, 2012

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, February 13, 2012 at 7:00 p.m., at the Edward J. Delaney Water Treatment Plant, 1303 Washington St.

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

All abatements submitted tonight are reviewed and signed.

**Motion Made** by Patrick Fasanello to accept the minutes of January 23, 2012. Second by James Taylor. Vote 4-0-0.

### **SUPERINTENDENT'S STATUS REPORT**

Mr. Mattson reports that the strip tower installation was a success thanks to Mr. Gustafson and his technicians. The sprinkler bids were not very favorable mostly due to the age of the building and the new ceiling having to be removed. He says the prices ranged between \$86,600 and \$129,600 however the low bidder said he made a terrible math error. He is planning to talk to Building Maintenance to see if they can help with some of the prep work and rebid it to try to save some money. Mr. Mattson then reports that our unaccounted for water is at 5.5% which is very good. That is at a per capita of +/-65 gpd. With regard to the membrane replacement, Mr. Mattson says he previously gave the Board an amount of \$690,000. After speaking with Zenon the price is actually \$730,000 because we are coming closer to the end of the warranty. He has asked Mr. Boynton to change the figure on his Capital Budget documents. It will still come from retained earnings. The Planning Board will be hearing site plan for the new water tank on March 1.

### **ZBA REQUEST FOR COMMENTS – PLIMPTONVILLE CROSSING**

It is explained that this is strictly Zoning Board and site plan from the Planning Board will come at a later date as the Town Engineer has not yet had the opportunity to review the site plan. Mr. Turner speaks of the looping of the water main and Mr. Mattson says he met with Rick Merrikin and suggested that the Board would most likely be looking for this but it can be brought up during site plan review. It is agreed that the Board concurs with the comments of the Town Engineer with regard to this subject.

### **BOS REQUEST FOR COMMENTS N.E. HOME FOR LITTLE WANDERERS**

There is discussion and Mr. Fasanello says it is his feeling that the accidents occur during transfer from the delivery truck and therefore if the tank is larger there would be less deliveries and subsequently less potential for an accident. Mr. Mattson points out that this will have no effect on our water. Mr. Turner feels we should support the decision of the Fire Department. This will be stated in a memo.

### **REQUEST FOR COMMENTS TOWN OF WALPOLE WATER TOWER**

There is review and discussion and the Board is in agreement with the comments made by the Town Engineer.

### **REQUEST FOR CONSIDERATION – 4 HOUND PACK CIRCLE**

There is a letter before the Board requesting consideration on sewer charges encountered for a broken water pipe in her basement. Mr. Fasanello asks if the leak was witnessed and the answer was no, it was

discovered by an excessive usage via our new metering system. The Board is in agreement that the water did not enter the sewer and an abatement should be issued for the overage of sewer charges.

### **UNCOOPERATIVE RESPONSE FOR METER REPLACEMENT – 120 PLEASANT ST.**

Mr. Mattson explains that we are in the final stages of the meter changes and we have been more than accommodating to this homeowner and we are still unable to gain access to change the meter. We went so far as to schedule a plumber to make the repairs to the piping so the meter could just be dropped in and the homeowner did not answer the door the day he scheduled the appointment. He says there is no alternative other than to recommend termination of water service until we can get this resolved. The Board is in agreement and gives the Superintendent the authority to post notice that water will be shut off unless resolved within two weeks.

### **ECONOMIC DEVELOPMENT PARTICIPATION OF SWC REQUEST**

Based on the memo received there are 3 groups being formed with reps from the various Boards to discuss improving economic growth in three areas of Town. They are looking for a board member to represent each group. Currently Commissioner Taylor is representing for Route 1A and they need someone for the other two groups if possible. Mr. Muti volunteers for Route 1. Mr. Turner is already a rep for the Conservation Commission and Mr. Fasanello says he is already on the Cable Advisory Committee. Although not present tonight, it is suggested that if Mr. Fettig is agreeable then he could be on the group for downtown.

### **VORTEX INSTALLATION FINAL SUMMARY REPORT**

Mr. Mattson says this summary is just to make the Board aware of the work performed and it is read and noted.

### **INFORMATION ON PAST DUE ACCOUNT BILLING**

Mr. Taylor says he had asked for this information regarding past due accounts and spent hours looking it over. He would like this money collected. There is discussion on how this should be approached. It is explained to the Board that many of these accounts are on payment plans, incorrect readings waiting for abatements or other reasons. There is also discussion on how the focus should be on businesses before residential. It is also explained to the Board that once the account goes to tax lien, the money is immediately taken for water/sewer when the tax bill is paid which causes the taxes to be in arrears and gives the Town the authority to foreclose. **Motion Made** by Patrick Fasanello to instruct the appropriate Town forces to take the necessary action for water/sewer bills that are outstanding be collected through the lien process quarterly rather than annually to accelerate receipt of funds. If it is determined that this cannot be achieved the Finance Director should be invited to our meeting to explain and perhaps offer alternatives. Second by James Taylor. Vote 4-0-0.

### **METAL BELLOWS RAO REPORT**

The report is discussed and is considered read and noted.

Mr. Mattson reports that Mr. MacKinnon of SEA reviewed the RAO and AUL for the Delaney TP that the Town was cited for and gave an estimate of +/- \$7000 so he feels AECOM's figures were not so far off. He would still recommend going with AECOM since they did the original filings. The Board agrees that this is the way to go.

## **NEW FY 13 RATE WORKSHEET**

The rates are discussed using retained earnings or \$250,000 to keep the water rate down. This will be discussed further at the rate hearing.

Mr. Fasanello asks why the Commission as elected officials is not invited to march in the parades. Mr. Mattson says the Recreation Dept. would do the inviting and he will mention that Mr. Fasanello is interested.

Mr. Fasanello speaks of his meeting on Thursday in Lexington with the MWRA. Mr. Mattson cautions that it may appear that the attack is on Canton and they may get angered. Mr. Fasanello feels that if 40-60% of our septage facility was federally funded then they should all have a right to dump in our facility.

## **7:15 APPT. MICHAEL VIANO**

Mr. Viano says he has come tonight as he has wrapped up the Sterling Lane condos that off of Oak Street. During the final accounting with his accountant and attorney it was noted that he has spent \$111,128 in water and sewer fees for 16 units to which his attorney felt this was an unlawful tax. In reviewing the connection fees Mr. Viano noticed that fees had gone down significantly and upon putting it all together if he applied the FY12 fee schedule there would have been a significant savings for him. He was advised that he was overcharged and he is looking for a refund. He learned that the reason for the adjustment was because the fees were challenged and therefore a study was done and it was determined that fees need to be based on services provided. He would like to negotiate a rebate for what he feels are overcharges. Mr. Muti says that he must have spoken to Mr. Walsh and expresses disappointment that Mr. Walsh broke the agreement of confidentiality. Mr. Viano denies that this is how he found this out and that this was brought to his attention by his own people and he put it all together himself by studying the fee schedule. Mr. Muti says he spoke to the Town's attorneys who informed him that Mr. Viano has every right to file a lawsuit against the Town. He was also advised not to go ahead with any rebates or abatements. Mr. Muti tells Mr. Viano if he feels the need to file a suit then he should do so. Mr. Viano says he would like to settle things quietly and he would be willing to accept potential rebates as credits as he is very easy going and flexible. Mr. Viano is thanked for coming and advised to do what he feels is necessary. Mr. Fasanello says very case is different and decisions should not be made based other situations. Mr. Viano left the meeting at this time.

## **8:00 APPT. DAN MERRIKIN, PUMP STATION AT WALPOLE PARK SOUTH**

Present for this discussion is Mr. Merrikin, Attorney Phil Macchi II, and Donnell Murphy. Mr. Merrikin says he provided all historic documents available and minutes were obtained. Although there is nothing that actually states that the Town would take ownership, it was designed to be a "Town" pump station. He asks as a matter of policy if the Commission wants to control the station. Mr. Fasanello says he thought that this was built as an industrial area with no public streets. Mr. Merrikin responds that it has always been a subdivision with gravity lines and force main. The question remains when the Town takes the road, do they also want to take control of the pump station. Mr. Muti asks if there is a bond in place and Mr. Merrikin responds that Mr. Murphy is in the process of setting up a new bond as the old bond had expired. Mr. Fasanello speaks of the catch basins being 20 years old and Mr. Merrikin says that catch basins have not changed significantly since then. It is stressed that the pump station was built with the idea that the Town would be taking it. Mr. Fasanello says that was then and this is now and the Town would like to get rid of pump stations. He adds that this one is close to 30 years old. Mr.

Merrikin answers that Hayes Pump and our own employee inspected it and reported it to be in good condition. Mr. Mattson adds that they are planning to upgrade the controls and pumps however it does not have back up emergency power. Mr. Fasanello asks about overflow capacity. Mr. Merrikin says that it holds 1300 gpd and the wet well can hold it for several days. He says it was designed conservatively with a lot of extra capacity. Also, he says that if the power is lost the businesses would not be running to warrant additional capacity. Mr. Fasanello says if we take the station we would lose tax revenue so he sees no benefit to the Town taking it. There is discussion on the cost to replace. Mr. Turner asks if the site is totally built out and Mr. Merrikin says the new building is the last building. Mr. Fasanello says if the Town took ownership of the pump station, it would be on private property with an easement and the only one it would benefit would be Mr. Murphy. Mr. Merrikin responds that Mr. Murphy could sell off the lots. Mr. Fasanello feels it makes more sense to create an association to serve the one entity as he sees taking ownership serves no benefit to the public. Mr. Merrikin reminds that the pump station was required by the Town as it was necessary to sewer the site and septic was not allowed. He adds that this will become a public road and the sewer from the pump station will discharge into the Town road. Mr. Turner says he would like some time to digest this. **Motion Made** by Roger Turner to continue the hearing. Mr. Mattson asks what would change. There is no second. **Motion Made** by Kevin Muti not to take control of the pump station at Walpole Park South. Second by Patrick Fasanello. Vote 4-0-0.

Mr. Taylor says it is time to break down and look at a 10-wheeler dump truck for the Water Department and Mr. Mattson says that is fine with him. Mr. Taylor then inquires about \$300 being spent on towing and Mr. Mattson explains that this will be charged to the appropriate party. Mr. Taylor then asks why the Water Department was seen cleaning catch basins and Mr. Mattson says they were helping the Highway Department.

**Motion Made** by Patrick Fasanello to adjourn. Second by James Taylor. Vote 4-0-0. Meeting adjourned at 8:35 pm.

*Accepted March 12, 2012*