

**August 13, 2018**

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, August 13, 2018 at 7:00 p.m. at the Edward J. Delaney Water Treatment Plant, 1303 Washington St.

Present: Patrick Fasanello, William Abbott, Glenn Maffei, John Hasenjaeger and John Spillane.  
Also, Rick Mattson, Supt. of Sewer and Water.

**SUPERINTENDENT'S STATUS REPORT**

Mr. Mattson reports that the July daily demand was 3.01mgd with a high of 4.392 mgd and a low of 1.89 mgd and June was about the same. It was quite comparable to last year at this time. Despite the best efforts to control the usage with the ticketing and rain, people are still running their irrigation systems. Mr. Maffei asks if Mr. Mattson has last year's numbers and he responds that it was .04 higher than last year, however we have also added more accounts this year and did lots of flushing for quality control. Mr. Mattson says the contract for well cleaning has been signed and will start next week. The water main improvements contract has also been signed and it is to start at the end of August or mid-September. He then reports on the significant leak on Washington Street. He had asked for a sleeve under the tracks during the railroad improvements in case they had to run a parallel pipe. During the test shut down the relief valve had so much pressure build up that it caused the pipe to burst. A valve is now leaking at Pine and Washington Streets and this will be dug tomorrow. Mr. Hasenjaeger asks where the sleeve is going in and Mr. Mattson responds at the tracks by the South Walpole post office; he had asked the contractor to slide it in for a redundant source. Mr. Mattson then tells that their engineer has submitted the 1.4 dioxane report to DEP and it is being reviewed and there were a few additional questions.

**7:05 WATER VIOLATION HEARING, 7 HOUND PACK CIR, JOHNPAL SIDHU**

Mr. Sidhu says he was out of the country and there was a sprinkler leak in the back so he had the sprinkler company come to look at it. They set the timers wrong and by the time he got back he had 3 violation notices. He has since taken care of the issue and promises to abide by the Water Management Policy.

**Motion Made** by John Spillane to waive all the fines for this address however if there is another offense all fines will be reinstituted with an additional fine on top of an additional fine. Second by Patrick Fasanello. Vote 5-0-0. Mr. Sidhu asks for a letter stating this.

**7:10 WATER VIOLATION HEARING, 28 BERKELEY DR. ALLEN AND LAURA CAMERON**

Mr. Cameron says he did not read the notice and thought the policy was just odd/even. He then reset but did not change it properly as he had it set for the morning. He then shut the system off until he figure the computer and he is now set to go. **Motion Made** by John Spillane to waive all the fines for this address however if there is another offense all fines will be reinstituted with an additional fine on top of an additional fine. Second by Patrick Fasanello. Vote 5-0-0.

**7:15 WATER VIOLATION HEARING, 48 MILLBROOK AVE. EDWARD COOLBRITH**

Mr. Coolbrith has sent a memo in explaining that he could not appear tonight and also explains the circumstances of his violations. He asks to have the hearing continued and the Board agrees.

**APPEAL OF BOARD DECISION, 37 ALTON ST., MR. RICE**

Mr. Rice provides a handout with his calculations and explains what he feels is an error in his bill. Mr. Mattson explains that this is a typical catch up bill where the water was previously used however not billed for because the MTU was faulty however it registered on the inside meter. Mr. Rice does not understand why he would be responsible for that and he is told it is because the water was used by him. Mr. Fasanello reviews the explanation from the staff and says it appears there were several attempts to contact him with

no response. Mr. Rice says he coaches college hockey and does not focus on anything else during that time. Mr. Mattson says he can have the meter tested but does not see any other reason that would justify abating this bill. There is discussion on a payment plan however the Board is told that would be a discussion with the Finance Dept. **Motion Made** by Patrick Fasanello to test the meter and if it comes back to be working properly the bill will stand as billed if not the bill will be adjusted. Second by John Spillane. Vote 5-0-0.

**Motion Made** by John Spillane to accept the minutes of June 11, 2018 with the recommended changes. Second by Glenn Maffei. Vote 5-0-0.

**Motion Made** by John Spillane to accept the minutes of June 25, 2018. Second by Glenn Maffei. Vote 5-0-0.

**Motion Made** by John Spillane to accept the minutes of July 2, 2018. Second by Glenn Maffei. Vote 4-0-1, Fasanello abstained.

**Motion Made** Glenn Maffei to accept the minutes of July 9, 2018 with the recommended changes. Second by William Abbott. Vote 3-0-2, Spillane and Fasanello abstained.

**Motion Made** by John Spillane to accept the executive session minutes of August 6, 2018 with recommended changes and keep them keep them private as making them public may be detrimental to ongoing litigation. Second by William Abbott. Vote 4-0-1, Maffei abstained.

#### **JARVIS FARM USE REQUEST – ANNUAL OBSTACLE CHALLENGE**

Mr. Hasenjaeger asks why this is being held at a Water Protection site. Mr. Fasanello says there are other sites that are out of the Water Protection area such as Adams Farm. When people request to use Jarvis Farm he would like the Recreation Department to suggest other sites. Mr. Hasenjaeger says the application form should include questions like what town they are from, will they have public safety, what they will pay, insurance liability, is it a fundraiser that is collecting money. Mr. Fasanello says the application heading says the Town of Walpole and this Board is not mentioned. He feels they are usurping authority and our ability to protect our water. He is told that all applications come to the Board for approval. **Motion Made** by Glenn Maffei to approve the request for the use of Jarvis Farm for the Annual Obstacle Challenge. Second by William Abbott. Vote 4-1-0, Fasanello against.

#### **REQUEST FOR CONSIDERATION – 12 CHAPMAN ST.**

Mr. Mattson explains that this property changed owners and the transmitter was removed and lost by the contractor of the previous owner. The new owners are asking not to be responsible for this charge.

**Motion Made** by William Abbott to abate the \$100 that was charged to this account for a lost MTU. Second by Glenn Maffei. Vote 5-0-0.

#### **REQUEST FOR REFUND – 42 GILL ST.**

Mr. Mattson explains that the Town had been attempting to get into this residence for a very long time for a meter read and due to the fact they were unsuccessful the staff had been estimating the bill. When finally able to get this reading it was determined that the account was over estimated. In the meantime the property had changed hands. When the amount of the overbill was determined a portion was applied to the account was in arrears. The former homeowner is looking to have the overestimated amount refunded to her. There is discussion on whether this money was due to her. **Motion Made** by Glenn Maffei to abate \$275.26 to the previous homeowner. Second by John Spillane. Vote 4-1-0, Hasenjaeger against.

Town Administrator Jim Johnson arrived at this time.

**7:45 DAVE WLUKA AND JOANNA HILVERT, OPTIMA HOSPITALITY GROUP LLC**

Mr. Wluka gives the previous history of the property behind Applebee's and the original plans to construct a hotel at this site and then tells how he acquired the property. He is of the understanding that in order to get Walpole's water and sewer at least ½ of the buildings must be in Walpole. He told of the plan problems the previous owner had. His plan is to push as much of the hotel into Walpole, it will be 4 stories and a restaurant and retail on the bottom floor. He will need waivers however he has a deadline for the end of the year. Mr. Fasanello asks what the tax is per room per day and Mr. Wluka says 6%. He then asks how many rooms and he is told 104 to 120. Mr. Fasanello says given the new apartments in Walpole center and others he would like to ask Mr. Mattson if we have the ability to supply water to this site and Mr. Mattson responds other than an issue with the Water Management Permit, he does not see it to be a problem. Mr. Abbott says the sewer is more complicated as Sharon is not an MWRA community and Mr. Wluka says it would be a building straddle. Mr. Abbott then asks Mr. Wluka if he checked with the MWRA to see if they can meet his deadline. Mr. Wluka says the first step is getting the Sewer & Water Commission to agree with this proposal first and he will take the risk with the MWRA. There is discussion on splitting the room tax with Sharon and Mr. Wluka says he does not have the authority to negotiate this; it would be between the two boards. Mr. Johnson says he has had an informal discussion with the Town of Sharon and they are willing to work with us. He suggests if the Board wants this to happen they should not waste any time. Mr. Maffei says half is better than nothing and Mr. Spillane adds that Herb Chambers donated \$1 million. Mr. Wluka responds that it will cost him \$1.2 million to hook up. Mr. Hasenjaeger says it looks like a nice project. Mr. Spillane is not happy with selling water out of town. Mr. Fasanello says Sharon is getting real estate taxes because of us and he feels if we have no insurance of what we get out of this there should be no deal. He says he previously proposed that we get all the room taxes and Sharon get the real estate taxes as a way to reward Walpole for their water and sewer system. Mr. Wluka intends to push as much as he can into Walpole. Mr. Fasanello says the benefit to Sharon is increased value by have access to sewer and water and it is only fair that we get rewarded for this. Mr. Spillane would like to see a sweetened pot. Mr. Fasanello would like to know what they are offering first. Mr. Johnson says the applicant needs the blessing of the Sewer & Water Commission and then negotiations would take place with the Town of Sharon and **Motion Made** by William Abbott to agree with the conceptual idea of providing water and sewer to Optima Hospitality LLC subject to the negotiations being satisfactory to this Board of Sewer & Water Commission. Second by Glenn Maffei. Vote 4-0-1 Hasenjaeger abstained as he knows Mr. Wluka. Mr. Hasenjaeger asks Mr. Wluka if he has done his due diligence with regard to entrance and I/I fees and Mr. Wluka responds that he has and will not challenge them. Mr. Johnson says he will go to Sharon for discussions to see if they have enough interest.

**REQUEST FOR INVESTIGATION OF BILL – 938 EAST ST.**

Mr. Tracy has written the Board to complain about the increase in his water bill and asks that the Board look into it. Mr. Mattson says this is the typical catch up bill. He can only offer to test the meter to make sure it is accurate. **Motion Made** by Glenn Maffei to send the meter for testing and if there is any basis for abatement it can be brought back to the Board. Second by Patrick Fasanello. Vote 5-0-0.

**MICK MORGAN'S PAST DUE ACCOUNT**

Mr. Mattson explains account is in Sharon and is delinquent. He says there is now a water main in the area and can write to the Town of Sharon to see if they would like to take ownership of this account as there were service connections left. He is not sure if Sharon owns the line yet. There is some discussion. **Motion Made** by William Abbott to notify the owner of this property that this Board expects prompt payment or the water will be shut off and the Board of Health in Sharon will be notified. Also Mr. Mattson

should contact Sharon to discuss a similar arrangement as the Town of Norfolk has with us for certain addresses. Second by Glenn Maffei. Vote 5-0-0.

**WATER VIOLATION APPEAL, 35 DELANEY DR., ROB ANDERSON**

Mr. Anderson writes his explanation for receiving his warning and subsequent \$50.00 violation and has since adjusted his system. He is asking the Board for consideration and to have the \$50.00 fine removed from his account. Mr. Fasanello believes he truly made a mistake. **Motion Made** by William Abbott to waive this \$50 fine however should there be any subsequent offenses, this \$50 charge will be re-applied and the subsequent violation will be considered a second offense. Second by Patrick Fasanello. Vote 4-1-0, Spillane against.

**WATER VIOLATION APPEAL, 15 MUSKETT LA, JOHN & SUSAN HENNESSEY**

The Board reviews and discusses correspondence from this address explaining the circumstances for his violation. **Motion Made** John Spillane to waive the \$50.00 fine for this address. Second by Patrick Fasanello. Vote 5-0-0.

**WATER VIOLATION APPEAL, 85 HOUNDPACK CIR., ANUSHA SIMHARAJU**

Correspondence from this resident is reviewed and discussed explaining their misinterpretation of the Water Management Policy. **Motion Made** by William Abbott to waive the \$50.00 fine for this address. Second by Glenn Maffei. Vote 5-0-0.

**WATER VIOLATION APPEAL, 16 GRISTMILL LA., THOMAS BAKER**

The Board reviews and discusses Mr. Baker's correspondence which explains the cause for his violation. **Motion Made** by William Abbott to waive the \$50.00 fine for this address. Second by Patrick Fasanello. Vote 5-0-0.

**EPA EFFLUENT EXCEEDANCE NOTIFICATION**

Mr. Mattson explains that the lagoons are too small and the suspended solids went into the wetlands. He says expects to receive an Executive Administrative Consent Order. Mr. Hasenjaeger asks if the lagoons were undersized and Mr. Mattson responds that they need to be added to or deeper.

**WATER CHEMICAL BID AWARD RECOMMENDATION**

Mr. Mattson reports this has been awarded by the Selectmen. This is read and noted.

**WATER MAIN REPLACEMENT BID AWARD RECOMMENDATION**

This bid was also awarded by the Selectmen. This is read and noted.

**TOWN OF FOXBORO DRAFT WATER MANAGEMENT PERMIT**

Mr. Mattson says this is purely informational to show what we potentially may be up against as it shows what types of conditions are imposed. There is some discussion and is read and noted.

**SUMMARY OF PROBABLE COST IN DEVELOPING MINE BROOK WELL #4**

Mr. Abbott says he didn't see a cost for getting daily access and Mr. Mattson says this is the least of our worries and that this is a very good well. Redevelopment would not be because of demand; it is because our current wells are getting older and could wear out at any time. Mr. Abbott asks if the Willis Treatment Plant has the capacity to handle this well and Mr. Mattson responds that the Willis was designed to 3mgd. Mr. Abbott says we will lose some debt in FY 2023. There is discussion of developing it in pieces as permitting with the DEP is not quick. Mr. Hasenjaeger says this is why they were trying to hook up to the

MWRA. Mr. Maffei asks how well development would be funded and Mr. Mattson responds that it would be authority to borrow but in phases.

**DOCUMENTS 1, 2 & 3 RE: 95 WEST ST AND WALL ST DEV. VS TOM BROWN ET AL**

These are documents from Town Counsel regarding litigation and are read and noted. Mr. Mattson will get an update from Town Counsel.

**INFLOW & INFILTRATION FOR NEW CONSTRUCTION PROJECTS**

The Board is in agreement that they will stay with the old formula as planned until there is a public hearing held and voted upon.

**ARTICLES FOR FATM BY 8-21-18**

Mr. Mattson proposes an article for the replacement of the water main on Baker Street from Washington Street to Common Street and out to Morningside Dr., as it makes good sense to put in a loop. Mr. Abbott asks if the article would be for design and Mr. Mattson says it would be for construction. The other article he proposes is to enter into agreement with the MWRA for I/I grant/loan money which is interest free and can be used to do studies and mitigation. **Motion Made** by William Abbott to sponsor both of the articles discussed here at the Fall Annual Town Meeting. Second by Glen Maffei. Mr. Hasenjaeger says he would like to see how the articles are written first. Mr. Mattson suggests that the article for water main replacement should not mention specifics and should just say water system improvement. Vote on the motion 5-0-0.

**Motion Made** by John Spillane to adjourn. Second by Glenn Maffei. Vote 5-0-0.

*Accepted September 10, 2018*