

June 10, 2019

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, June 10, 2019 at 7:00 pm, at the Edward J. Delaney Water Treatment Plant, 1303 Washington Street.

Present: John Spillane, William Abbott, John Hasenjaeger, Glenn Maffei and Patrick Fasanello. Also Bernie Marshall, Supt. of Sewer and Water, Scott Gustafson, Asst. Supt. of Sewer and Water and Rick Mattson, DPW Director.

REORGANIZATION

Glenn Maffei nominates William Abbott for chairman.

Motion Made by John Hasenjaeger to delay reorganizing until the Board's first meeting in September as there are important issues going on right now and transition is not good at this time. Second by Patrick Fasanello. Vote 4-1-0, Spillane against.

Motion Made by Glenn Maffei to accept the minutes of May 13, 2019 with recommended change. Second by John Hasenjaeger. Vote 5-0-0.

All abatements submitted tonight are reviewed and signed.

SUPERINTEDEDENT'S STATUS REPORT

Mr. Marshall explains that he will have to send a new RFQ for the rate study as the Assistant Town Administrator felt his was too vague. He is hopeful he will have this for the Board by the next meeting. He then reports that there have been no water main breaks or leaks since they last met. His staff has been policing the town for water management policy violations and it appears most are heeding the restrictions. The DCR came out last week and made their recommendation for the Water Management Permit. Mr. Marshall says he gave them further information as they did not have the Wright Pierce projection and New Pond Village and LaQuinta will have substantial use. Mr. Hasenjaeger asks if they are aware of all of our conservation measures and he is told that they have all of this. Mr. Abbott asks if there is a timetable and the answer is not yet. Mr. Hasenjaeger then says we have five State Representatives that should be contacted to get our decision. Mr. Marshall says it is not just Walpole, it is the southeast region. Mr. Abbott asks what the problem is and Mr. Marshall says they want us to take less water. There is discussion on how accurate the DCR's numbers are. Mr. Fasanello says we need to be rewarded for the housing we are providing. Mr. Hasenjaeger then speaks of the fact the restrictions on withdrawal are different for Norwood and Canton as they do not have to meet the same restrictions and he would like to clear this up. Mr. Mattson says if the town is 100% MWRA there are no restrictions and if the town is partial MWRA they are still restricted. Mr. Mattson explains who is exempt again and says he already showed the Board Canton's permit where they are restricted because they are not 100% MWRA. Mr. Mattson tells Mr. Maffei there is a significant difference between our permit now and what they are proposing. Right now our permit is 3.34 mg and they are proposing a baseline of 2.52 mg. Mr. Marshall continues that they are still working with the Collector's Office regarding a Munis update for a billing solution. He has been told by his office administrator that they should be caught up by the end of the summer. They have also done work with an outside contractor for extended coagulation at the Willis. They have a study going on right now to see if they can use total organic carbon removal using extend coagulation. Right now it looks good but they are waiting for the analysis. There is discussion on going back to free chlorine and the advantage of it. The Baker Street project is before the Selectmen.

7:30 PRADEEP MISHRA, 14 MERGANSER WAY – REQUEST FOR ADDITIONAL ABATEMENT

Mr. Mishra says he owns a townhouse at 14 Merganser Way and he received a bill for a total of \$5826 after July 1st of 2018. All the bills were late by 100 days, 98 days, 201 days, and the bills reflect the higher block rates. He is asking to adjust his bills to his average billing. Mr. Abbott would like to confirm that he is not questioning the amount of water used but rather the inclining block rate causing a higher bill. Mr. Mishra says because the bills were late it put him into a higher rate and that is if the readings are correct. Mr. Abbott says

we already abated \$802 as a result of the fact the meter was reading too frequently so the town was never alerted to the higher usage and the fact that the bills came late. He wants to know if this is something different. Mr. Mishra speaks of the delayed billing and Mr. Abbott explains why and says we expect to be back by the end of summer. Mr. Mishra then questions the amount of water used and he is told the meter was checked and came back 100% accurate. Mr. Mishra asks when was it tested and he is told April 23, 2019. He then says that was too late. Mr. Abbott asks if the meter was changed and the answer is yes. He then asks if the new meter is being read several times a day and Mr. Mattson responds that it is now a two way transmitter and explains how it works. Mr. Mishra says 35,000 cubic feet was used from July to November. Mr. Abbott asks if he had a leak at any point in time. Mr. Mishra says he never noticed a leak. Mr. Maffei asks if any point in time was there a leak. Mr. Mishra says he called the plumber and at no one ever found a leak. Mr. Maffei and Mr. Abbott say they feel they were told differently the last time he was here. Mr. Marshall explains that the meter was tested and 100% accurate so that means that the water that was billed for went through the meter. He adds that a toilet can stick and unstick and then stick again. Mr. Fasanello asks if he lives in the property and the answer is no he rents it. Mr. Fasanello then asks if he has asked the people that live there if there was ever a problem. Mr. Mishra says he did and was told that they did not notice any leak. Mr. Fasanello says all the evidence shows that the water was used and asks if perhaps the tenants aren't telling him everything. Mr. Maffei asks if Mr. Mishra insists there were no leaks then what is his position and/or theory of what happened. Mr. Mishra says he has no theory as to whether there was a leak or not. He is saying a utility company is supposed to do their billing on time and therefore is looking for proper billing. All agree that the timing of the billing has nothing to do with the water used. Mr. Mishra is citing State Law and says all utilities should bill on time. Mr. Maffei asks for clarification. He says we already credited over \$800 towards his \$3600 bill and would like to know if he is looking for a further adjustment on this bill or a different bill. Mr. Mishra says he is looking for credit on 3 bills as they were over 100 days late. Mr. Fasanello asks Mr. Marshall if the water was used on this property and the answer is yes. Mr. Fasanello feels then this should be the end of it. Mr. Maffei says he is not open at all to giving an additional abatement. He does not know how the rest of the Board feels but he would be open to considering putting his usage in the second tier like before but that is as far as he would go. Mr. Hasenjaeger says Mr. Mishra was very prolific in his communications, he sent emails to just about everyone. He also does not appreciate some of the things that were said about the Water Department. He then asks Mr. Mishra if he would like to go to small claims court and Mr. Mishra responds that he has already filed. Mr. Hasenjaeger says he figured this would happen and therefore thinks he should get nothing here and they will send someone to represent them in court. He believes we are responsible to the ratepayers and must follow our policies and regulations. He would like to say there was other ways of handling this other than creating all this publicity. Mr. Abbott feels if he has already gone to small claims court then it should just get resolved there and Mr. Maffei agrees.

NEW POND VILLAGE SITE PLAN – PLANNING BOARD

Motion Made by William Abbott to send a note to the Planning Board stating that this Board concurs with the comments of the Town Engineer. Second by Glenn Maffei. Mr. Spillane inquires about the entrance fees and Mr. Marshall says they will make sure all fees are paid. Vote 5-0-0.

137 LINCOLN RD. SPECIAL PERMIT – BOARD OF APPEALS

Motion Made by William Abbott to send a memo to the Board of Appeals stating that this Board has no comments with regard to this subject. Second by Glenn Maffei. Vote 5-0-0.

7 PINTAIL RD. SPECIAL PERMIT – BOARD OF APPEALS

Motion Made by William Abbott to send a memo to the Board of Appeals stating that this Board has no comments with regard to this subject. Second by Patrick Fasanello. Vote 5-0-0.

SEASON'S CORNER MKT. SITE PLAN, SPEC. PMT, AND LAND DISTURBANCE

It is explained that this is a market with a gas station. Mr. Marshall says they are asking for a water service and right now their plans are to have a septic system. There is discussion on its location, the flow of groundwater and the fact that the gas tanks will be double walled in concrete vaults. **Motion Made** by William Abbott to

send a memo to the Planning Bd., Bd. of Appeals and Conservation Comm. stating that our concerns are that the state of the art protection needs to be in place for the protection of our aquifer. Second by Glenn Maffei. Vote 5-0-0.

JARVIS FARM USE APPLICATION

Motion Made by Patrick Fasanello to approve the application by Mr. Spillane for the use of Jarvis Farm for a family reunion. Second by Glenn Maffei. Vote 5-0-0.

JARVIS FARM USE APPLICATION

This application is for the 5th annual Jarvis Harvest. Mr. Fasanello expresses concern of the 90 vehicles parking in the aquifer and would like to know if there are any plans for an environmentally sound parking lot. There is discussion on what can be used. Mr. Mattson asks Mr. Fasanello if Conservation Commission says the method they use is environmentally sound that he is good with it and he responds yes, but he would like to see the plan. There is discussion on the area under the high tension wires. **Motion Made** by William Abbott to approve the application for the use of Jarvis Farm by the Recreation Dept. for the annual Jarvis Harvest Fair. Second by Glenn Maffei. Vote 4-0-1, Fasanello abstains.

SEWER ABATEMENT REQUEST – 18 JOHN TURCO DR.

The homeowner has written to the Board requesting an abatement on sewer charges as there was a burst pipe and this water did not enter the sewer. **Motion Made** by William Abbott to remain consistent and abate sewer charges of \$109.77 as calculated. Second by Glenn Maffei. Vote 5-0-0.

SEWER ABATEMENT REQUEST – 12 COMSTOCK WAY

The homeowner has written to the Board requesting an abatement on sewer charges as a pipe had burst and flooded their home. This water did not go into the sewer. **Motion Made** by William Abbott to remain consistent and abate charges of \$190.98 as calculated. Second by Glenn Maffei. Vote 5-0-0.

INFLOW AND INFILTRATION PROTEST – 95 WEST ST., CORCORAN

Mr. Mattson explains that when they calculated the fees they used the number of units and did not take into account the buildings that were raised. He says Abigail Middleton, representative for 95 West St., did her due diligence and went to the assessors and calculated the square footage and he believes they are due the credit. This would result in the inflow and infiltration charges being reduced from \$1,001,273 to \$896,424 based on the previous buildings. Mr. Mattson says we are giving them credit for what was there based on Title V. Discussion is held on the calculations. **Motion Made** by William Abbott to accept the calculations that the former Superintendent of Sewer and Water and the developer of 95 West St. have come up with for inflow and infiltration. Second by Glenn Maffei. Mr. Hasenjaeger says point of order. He refers to the letter provided by Ms. Middleton where it states that it is a formal protest. He says we are waiving fees and they will still protest the fees. Mr. Mattson says he cannot answer that and Ms. Middleton responds that they are not waiving the protest. Mr. Abbott feels the amount they came up with is the correct amount and Mr. Maffei agrees, he feels they are two separate questions. There is discussion on the property owner of the adjacent building. Vote on the motion 4-1-0 Spillane against.

8:00 JOHN GLOSSA – MUSTO WEST ST AND MCKINLEY AVE WATER MAIN EXTENSION

Mr. Glossa explains the location of the site and introduced Mr. Musto. He says Mr. Musto does landscaping, patios, sports courts etc. Mr. Musto has purchased this property. He is proposing a 60 x 225 foot building with a covered shed to store sand and salt, bins for loam, mulch etc. He plans to rent out the rest of the building to tradesmen. He lists the storage of onsite materials that are considered toxic or hazardous. Mr. Abbott asks why they need to store 500 gallons of diesel fuel and he is told by Mr. Musto it is for self-fueling. Mr. Abbott then speaks of needing protection from the rental units storing hazardous material. Mr. Mattson says the concern should be not what is stored but how it is stored. **Motion Made** by William Abbott to send a letter to the Planning Board stating that this Board met with the applicant and his engineer regarding the above subject. There was expressed concern over the fuel tanks being 500 gallons and the applicant has agreed to reduce these

to 250 gallons. Since the rental units are currently unknown occupants, there is also concern as to what might be stored there. This Board would like a condition that makes the owner responsible in ensuring that his tenants storage of any hazardous materials be required to go through the proper channels for permits of such. Second by Glenn Maffei. Vote 4-0-1 Spillane abstains.

Mr. Glossa then speaks on a possible water main extension on McKinley Ave. There is no information or available plans for this so the Board suggests that he consult with the Superintendent and provide plans to this Board as it is too detailed to discuss without them.

RATE HEARING CONSIDERATIONS – BILL ABBOTT

Mr. Abbott has provided some suggestions to consider at the public rate hearing. He reviews his ideas and tells of a potential new category to address large multi-family units as well as multi-families with commercial on the first floor. There is then discussion on going back to quarterly billing. Mr. Mattson suggests that they might want to vote the quarterly billing tonight. **Motion Made** by John Hasenjaeger effective July 1, 2019 billing will go back to quarterly. Second by Glenn Maffei. Vote 4-0-1 Fasanello abstains.

IRRIGATION USE WITHOUT METER – 54 ANDERSON WAY

It is explained that this homeowner was approved to install an irrigation system in 2013 and it was recently discovered that this water has never been metered. The homeowner has been notified that this was going to the Board tonight and he called to say he has a plumber scheduled for June 18th. There is discussion on possibly shutting the water off, and the illegality of stealing water. Our regulations have fines assigned to such cases. Mr. Spillane says we should be filing a criminal complaint. **Motion Made** by William Abbott to notify the homeowner that if the meter is not installed within 8 days the water will be shut off at this address. Additionally, he is to be charged \$1000 per year for violating our regulations and that we are in the process of investigating the proper charge for water previously used. Second by Glenn Maffei. Vote 5-0-0.

Motion Made by John Spillane to adjourn. Second by Glenn Maffei. Vote 5-0-0. Meeting adjourned at 9:20 p.m.

Accepted August 12, 2019