

September 13, 2010

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, September 13, 2010 at 7:00 p.m. at the Edward J. Delaney Water Treatment Plant, 1303 Washington St

Present: John Spillane, Roger Turner, Kevin Muti, Patrick Fasanello and Ken Fetting.
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 John Spillane to accept the minutes of July 26, 2010. Second by Roger Turner. Vote 3-0-1, Fasanello abstained.

Motion Made by John Spillane to accept the executive session minutes of June 14, 2010 but not to release them at this time. Second by Patrick Fasanello. Vote 4-0-0.

Motion Made by John Spillane to accept the executive session minutes of August 17, 2010. Second by Roger Turner. Vote 4-0-0.

WESTON AND SAMPSON CONTRACT (SMOKE TESTING)

Mr. Muti asks what areas this is for and Mr. Mattson responds that this would be throughout town. Mr. Fasanello asks if we had done this before and why we are doing it again. Mr. Mattson says we are retesting and it makes good sense to do this as we are checking for roof leaders, surface drains and cracked pipes. He adds that the cost is \$114,500 and there is enough money in the revolving account to handle this. Mr. Mattson suggest that we move forward as in the future the Water Management Permit process will be looking for a plan to the water in the basin. There is some discussion.

Motion Made by John Spillane to accept Weston and Sampson's Agreement for Engineering Services for the Annual I/I Removal Program Smoke Testing in the amount of \$114,500. Second by Roger Turner. Vote 4-0-0.

BELTRAMINI, 8 BARBARA RD., WATER BILL QUESTIONS

The letter from the homeowner is reviewed in which he is requesting an explanation for water use which occurred while they were away and after he had shut the water off before leaving. Mr. Mattson says he has no good explanation unless the valve did not fully close and there was a leak. He says there is no physical way for this to occur is the water was shut off as Mr. Beltramini states because it is a piston driven meter and the water would have to go through it for the dial to move.

Mr. Fetting arrived at this time (7:08 pm)

It is asked that a letter be sent to Mr. Beltramini stating that the Board reviewed all available information regarding this account and has no explanation for what occurred. The homeowner should be asked if he would be willing to provide the office with the

dates when they plan to be away again and a contact phone number where they will be so that the account can be carefully monitored while they are away and the homeowner can be called if there is any water use at that time. This will be done.

SY, 1 ELEANOR RD., BILL DISPUTE

Mr. Mattson says that this is the typical prorate situation. He has looked into the account and can see no reason for any further adjustment as the water was used. There is discussion on the amount of the abatement which is 576.50 for water and 800.12 for sewer. This abatement was before the Board earlier tonight with the other abatements.

Motion Made by Kevin Muti to accept the abatement as presented to the Board and send a letter to the homeowner stating that the water must be paid for and there will be no further adjustments to the bill. Also, the homeowner should be informed of his ability to enter into a payment plan with the Finance Director should there be a need. Second by John Spillane. Vote 5-0-0.

REQUEST FOR IRRIGATION SYSTEMS

Motion Made by John Spillane to terminate allowing requests for irrigation systems and not to accept any further irrigation system requests. Second by Roger Turner for discussion. He would like to amend this motion to state that these requests would not be accepted until there is a fool proof method of compliance. There is some discussion and Mr. Turner is asked what he means by this. He says there should be a fool proof method of shutting the system off that would give us much better control of when and how it is operated. Mr. Mattson states if a homeowner does not know how to operate his system then he should not be able to have one. Mr. Spillane does not want to amend his motion as he is not happy with the amount of water management policy abusers he is seeing and withdraws it. **Motion Made** by Roger Turner not to accept further requests for irrigation systems until we can come up with a fool proof method of control. Second by John Spillane. He says this motion is better than no motion at all. Vote 3-2-0, Fettig and Fasanello against.

7:15 APPT. IAN COOKE – WATER MANAGEMENT PERMIT COMMENTS

Mr. Cooke says he has been working with Mr. Mattson regarding comments that were sent to the DEP with regard to Walpole's Water Management Permit. He is here tonight to speak about the Water Management Act Permit process and what it means with future permits. Mr. Cooke goes on to give the history of the regulated amounts of water withdrawal allowed with the 20 year permits that are reviewed every 5 years. The first generation of permits is beginning to expire and Walpole is up for renewal. He says the DEP has not been doing a good job in communicating what is coming. He goes over the numbers for Walpole with their permit now. He says 2.25 mgd are registers, with an additional 1.09 mgd, for a total of 3.34 mgd. There are questions on how business impacts the withdrawal and concern expressed on how the residents will suffer because of the business water demands. Mr. Cooke says there is a needs forecast given to DEP and they are to decide how to use this by setting permit limits. He says currently DEP will use your existing use to permit the use for the first 5 years which is currently for Walpole at 2.25mgd. He reports that by permitting the 2.25 it eliminates the headroom from 56% to about 3%. Mr. Fasanello asks if they know we supply water to other towns

and Mr. Mattson answers yes. Mr. Fasanello then asks about Lexus and the prison and he is told that Lexus is commercial and not included in the 65 per capita and the prison is not counted. Mr. Fasanello asks why DEP is doing this and Mr. Cooke says he does not want to get off the track to why he is here. Mr. Cooke says the DEP will give until (he forgets if it is December 2011 or 2012) to get their residential water use to 65 per capita, as well as the unaccounted for water to less than 10%, which Walpole has already achieved. If not there by this date then you would be required to file a plan to explain when you plan to achieve this. If this is not met you would have to file what DEP calls a Functional Equivalence Plan. If over the 65 per capita DEP will issue a mandatory water use restriction with a default of 2 days per week. If water use exceeds the baseline of 2.25 mgd you will be asked to put together an Offset Feasibility Study showing conservation methods to be instituted. Mr. Cooke says he expects a lot of litigation. He says that the bottom line is that it may make sense for Walpole to consider a robust water conservation program. This would re-establish some headroom as it is not realistic to run at 3% headroom. By reducing use, there is greater efficiency and gives Walpole a head start to DEP's 65-10. There is further discussion and Mr. Cooke says he is here to talk about what is likely to be in DEP's permit so there are no surprises. Mr. Spillane says he wishes Mr. Cooke had talked to us prior to sending the comments to the DEP and he responds that he did it in the best interest and Mr. Spillane says he does not believe this was best for Walpole. Mr. Muti says between now and November we need to solicit conversation. Mr. Fasanello adds we should also have a public hearing. Mr. Fettig would also like to bring in the author of the comments, Steve Perlman. Mr. Cooke says he would be happy to come back for a deeper discussion on this. He is thanked for his attendance tonight.

REQUEST FOR COMMENTS, WATER MANAGEMENT PERMIT

Mr. Mattson is asked if he has received any responses to his request and he says that the Planning Board has sent a draft today which he feels is very supportive to their needs. Mr. Fasanello says this permit is a strike to everyone's quality of life.

7:45 APPT. DERENZO, 56 MILLBROOK AVE

Mr. Derenzo says that his family lives on the Cape during the summer and his system did not have the appropriate time clock to set his system for odd/even. He now has purchased this and would like the Board to rescind his tickets. There is discussion and it is asked how much the dollar amount is. There is a total of \$650. Mr. Mattson feels this person has total disregard for the rest of the residents and wonders why the Board would consider entertaining his request. **Motion Made** by John Spillane that all fines stand as issued. Second by Kevin Muti. Vote 3-2, Fettig and Fasanello against.

8:00 DELATORRE, 27 OLYMPIC CT., WATER VIOLATION HEARING

Mr. Delatorre explains that he was originally cited because he did not realize that he needed to seek approval of the Board for the installation of his irrigation system. Once he was made aware of this he put in the request. On the notice he saw that he was only allowed to water on odd numbered days which he was doing but since he did not have the system inspected before he used it he was cited again. He says he did not violate the water management policy; he was using a system that was not inspected by the Town.

Motion Made by John Spillane to waive the fines issued for this address unless there are further violations, then the fines would be re-instituted. Second by Kevin Muti. Vote 5-0-0.

DONELLAN, 32 HITCHING POST DR. VIOLATION APPEAL

The Board reviews a letter from the homeowner which states his reason for violating the Water Management Policy. This is the homeowners first offense which is a warning carrying no monetary fines. **Motion Made** by John Spillane to notify the homeowner that his request for his warning status be waived. Second by Roger Turner. Vote 5-0-0.

ESBER, 16 BERKELY DR., VIOLATION APPEAL

A letter from Mr. Esber explains his reason for receiving a warning and a \$50 violation. **Motion Made** by John Spillane to notify the homeowner that his request to have his tickets dismissed is denied. Second by Kevin Muti. Vote 5-0-0.

CONCERNED DOVER RESIDENT CORRESPONDENCE

Mr. Mattson explains that this a Dover resident that is concerned over the proposed building proposed to take place and in an effort to get Walpole involved he is expressing concern over this building affecting Walpole's aquifer. This proposed site is where the Texaco gas spill occurred years ago and the resident believes that the developer strategically may have placed monitor wells to circumvent discovery. There is discussion on the State ruling. The Board is in agreement that this is beyond our jurisdiction. Mr. Fettig suggests sending this to the Board of Health since it is addressed to them anyway. The Board agrees.

UMESH, 18 ANDERSON WAY, WATER VIOLATION HEARING

Mr. Umesh is present and explains that there was a death in the family and he was out of the country because of it. He did not realize he was in violation until he returned. Mr. Gustafson confirms that all tickets remained taped to his door as if no one was home. **Motion Made** by John Spillane to waive the two fines issued for this address. Second by Patrick Fasanello. Vote 5-0-0.

FLUORIDATION QUALITY AWARD

The Board acknowledges a job well done by the Superintendent and his staff. Mr. Fasanello asks if the Board intends to remove the fluoride treatment. There is discussion and it is agreed that the Board should have a public hearing for this on January 24 of next year to receive input from the public.

NOTICE OF ENVIRONMENTAL SAMPLING – MOBIL, 750 MAIN ST

There is discussion and Board members express concern over the high limits shown on sample results. Mr. Mattson says this has been ongoing for a long time.

CAPITAL IMPROVEMENT PLAN GRANT PROGRAM BY DEP

Mr. Mattson explains that the State is offering grants for Capital Improvement Plans and would like to know the pleasure of the Board. Mr. Spillane asks if there are any strings attached. Mr. Fettig says that Stephanie Mercandetti is the grants officer and she should

be asked to apply for this. Mr. Muti says she should fill out the application and then we could look at it. It is asked if there is a match required and Mr. Mattson responds that there is a 25% match or an in kind service requirement. It is agreed that Mr. Mattson should attempt to move forward with this.

WALMART REQUESTS FOR COMMENTS

Comments have been requested by the Zoning Board of Appeals, Planning Board and the Conservation Commission regarding the addition the Walmart. Comments have also been received regarding this subject from the Town Engineer. **Motion Made** by Kevin Muti to concur with the comments of the Town Engineer with regard to the above subject. Second by John Spillane. Vote 5-0-0.

8:45 APPT. BREDMEHL 84 MILLBROOK AVE. WATER VIOLATION

Mr. Bredmehl is present and explains that he comes from Holbrook everyday via Route 27 and they have signs posted for the different phases of the water ban. He never bothered to look for ours. He says once he received a warning he attempted to take reasonable precautions. Once he received the next ticket he opted not to rely on automation and switched his system to manual. However he turned his system on and fell asleep causing him to be issued an additional ticket. **Motion Made** by John Spillane to waive the \$50 and \$100 ticket for this address with the provision that should another violation occur these two tickets will be re-applied and it would be considered a third offense with an additional fine of \$250. Second by Patrick Fasanello. Vote 5-0-0

9:00 APPT. SMITH, 12 MOZART DR. WATER VIOLATION HEARING

This homeowner sent a letter saying they would not be attending tonight as they are in California and explaining the malfunction of their system. The Board agrees that they shall not get a waiver from their tickets.

WALPOLE PARK SOUTH REQUEST FOR COMMENTS

The Board is informed that a request was submitted to the Town Engineer asking for comments for hearings to be held on this subject by Conservation Commission, Zoning Board of Appeals and Planning Board. To date the only comments received are for the ConCom hearing regarding land disturbance. The Board is in agreement that they would like to act on the entire package rather than “piece meal”. It is asked that a letter be sent to the various Boards and to the Town Engineer stating that this Commission has not yet received comments from the Town Engineer and would like to reserve the right to comment until after they receive the necessary comments from our Engineer. This will be done.

AGENDA CLOSING DATE

The secretary explains with the new open meeting law it was suggested that the agenda close the Monday before the Board’s scheduled meeting and nothing after this date could be included unless approved by the Chairman. Mr. Muti would also like packages for the Commissioners delivered on Wednesday rather than Friday. The Commissioners agree to both of these concepts.

807 EAST STREET

Mr. Mattson explains that there is a town owned tree in front of this home and its roots keep getting into the sewer line of the homeowner which is an 82 year old lady. She has asked the Town to remove the tree because it is costing her money to have these roots removed and she has a financial hardship. Unfortunately, the tree is in good health so the Town does not want to remove it. Mr. Mattson would like to suggest that the Town pay for half of her reaming costs through a credit on her sewer bill. Mr. Spillane asks how often this would happen and the answer is probably every couple of years. It is then asked how much it would cost the Town and the answer is about \$80 each time. **Motion Made** by Patrick Fasanello to agree with Mr. Mattson in crediting this account for ½ the cost of reaming the sewer line at this address. Second by Roger Turner. Vote 5-0-0.

REBATE CREDIT PROCEDURE

It is explained to the Board that washer and toilet rebates are normally credited to the individual credit account however a problem has arisen in the Finance Department because of this and they have asked for us to change our method of crediting and instead use the abatement process. The Board is asked if they would be willing to allow the Superintendent to sign the abatements for the washer and toilet credits so as not to hold up the billing process. Mr. Fasanello does not think this is a good idea, he would rather see them on a separate abatement sheet before the Board which he says he would be willing to sign. It is explained that there may be a crediting problem if the Board does not meet every other week and he says he will sign them when he signs the bills if for some reason the Board does not meet. This is the procedure that will not take place for these credits.

SEPTAGE FACILITY

There is discussion on how this needs addressing. Mr. Muti asks Mr. Fasanello as our MWRA representative to pursue the ability for the Town to accept non MWRA community septage so that our facility can get the use it should be getting. Mr. Fasanello says he will be going to the MWRA meeting on September 16th and would like someone with some expertise on the subject to accompany him, whether it is the Superintendent, the DPW Director or the Town Engineer. Availabilities will be looked into.

Motion Made by John Spillane to adjourn. Second by Ken Fettig. Vote 5-0-0. Meeting adjourned at 8:55 p.m.

Accepted September 27, 2010