

November 13, 2017

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, November 13, 2017 at 7:00 p.m., at the Edward J. Delaney Water Treatment Plant, 1303 Washington Street.

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

All abatements submitted tonight are reviewed and signed.

**Motion Made** by William Abbott to accept the minutes of October 23, 2017. Second by John Spillane. Vote 5-0-0.

### **STATUS REPORT**

Mr. Mattson says as everyone knows there are several projects on going. The Old Post Road Tank is one of the largest. He reports that the exterior under coat and top coat is completed. The interior dome is complete and the pits are all welded. They are going to attempt the interior top coat this week, then fill and test and completion is probably two weeks away. With regard to the water main projects, Barstow Rd. is done, William St. is done and Thornell Ave. is about 80% complete. With regard to the mains that our staff is doing, Moosehill Rd. is complete and they will be switching over the services, Chieftain is also done and Plain St. is 75% complete. Their next project will be Wilson Street which is the taking of the easement for looping the water main. The pigging company is way behind as they had a lot of truck breakdowns. Therefore he believes he will postpone this project until spring. This makes sense since they are adding the sodium silicate and it would just wash out with the pigging. With regard to the inclining block, he feels his staff is finally getting some answers and hopefully will be resolved soon. Mr. Hasenjaeger asks what legal costs would be incurred regarding the pilot study and Mr. Mattson responds that would be litigation against the contaminating source. Mr. Brown asks if we have sent a letter to this source as we previously spoke about and Mr. Mattson says no he would like our town counsel back in to make sure everything is worded properly.

### **REVISIT AND UPDATE 58 PEACH ST**

Mr. Mattson reports that our Asst. Supt. visited the address and reported that it was possible for the Culligan Water purifier to pump onto the ground, which is what the Board had asked to be determined.

**Motion Made** by William Abbott to approve the homeowners request for an abatement in the amount of \$621.94 as the water did not go into the sewer. Second by John Hasenjaeger. Vote 5-0-0.

### **BD OF APPEALS COMMENT REQUEST – OFF UNION ST.**

Mr. Mattson says comments were already made by this Board regarding this. Although unrelated to this request, Mr. Fasanello speaks of the underground utilities and would just like to mention that any proposed underground tanks must be approved by this Board. Mr. Hasenjaeger says this project has been so much trouble with the Planning Board. He feels the zoning changes made for this one project is distressful and disappointing. He says this is not a way to solve issues. Mr. Brown asks if there any water and sewer problems and Mr. Mattson says no. It is considered read and noted.

### **REQUEST FOR CONSIDERATION – 8 MARSTON RD.**

Mr. Fasanello asks if this meter was checked and the answer is no. He feels the letter has expressed a concern over whether or not something is wrong with the meter and he would like it checked before any decisions are made with this matter. The meter will be checked and this will be put on the next agenda.

### **REQUEST FOR CONSIDERATION – 6 THOMAS ST.**

The Board agrees that a burst hose would not enter the sanitary sewer system. **Motion Made** by William Abbott to sewer charges for this address in the amount of \$291.22. Second by Patrick Fasanello. Vote 5-0-0.

### **O'BRIEN EASEMENT RELEASE**

Mr. Mattson explains that Mr. Petrozzi came to the Board previously and it was approved and then Town Meeting approved it. This document needs to be signed by the Commission so the easement can be released. **Motion Made** by John Hasenjaeger to sign the O'Brien Easement Release. Second by William Abbott. Vote 4-0-1, Fasanello abstained.

### **FUEL STORAGE APPLICATION – 545 SOUTH ST.**

This is an underground storage tank for propane. There is some discussion and it is considered read and noted.

### **CONCOM COMMENT REQUEST, TOWN OF WALPOLE, JARVIS FARM TRAIL**

Mr. Mattson explains that this is the bridge that is to be built that would lead to the Jarvis Farm. Mr. Fasanello expresses concern over mechanical vehicles having access to Jarvis Farm and would like to make sure there is some kind of restriction to prevent this. There is discussion on liability and insurance. Mr. Fasanello feels if we do not prevent the mechanical vehicles it could be a hazard to the fields and the aquifer. Mr. Mattson says that they can put up some kind of barrier that would keep this from happening.

### **REQUEST FOR CONSIDERATION – 23 HOMEWARD LA.**

Mr. Abbott says we need to remain consistent with our policy and it is evident that this water passed through the meter. **Motion Made** by Tom Brown that no consideration be given for the water bill at this address. Second by William Abbott. Vote 5-0-0.

### **ORDER OF TAKING – WILSON STREET**

Mr. Mattson says this is the taking of an easement on Wilson Street so the water main can be looped from Barstow Rd. to Harding Rd. Mr. Fasanello asks if all abutters are in agreement to this and he is told all signed the document except for one and they are not opposed to it, they just are not willing to sign the document. All Commissioners sign the Order of Taking and it is notarized to be recorded at the Registry of Deeds.

### **BD. OF APPEALS COMMENT REQUEST, 48 BURNS AVE./UNION SQUARE VILLAGE**

Mr. Mattson explains that this is part of the Union Square Village subdivision and Mr. Petrozzi has agreed to loop the water main from Burns Ave. to Union Street. **Motion Made** by William Abbott to concur with comments of the Town Engineer. Second by Patrick Fasanello. Vote 5-0-0.

### **7:30 EXECUTIVE SESSION**

Chairman Tom Brown declares that discussing litigation strategy with respect to the matter of Wall Street Development Corp. v. Town of Walpole, in open session will have a detrimental effect on the litigating position of the Commission.

**Motion Made** by John Hasenjaeger that the Commission go into executive session to discuss strategy with respect to litigation in the matter of Wall Street Development Corp. v. Town of Walpole, because discussing the matter in open session may have detrimental effect on the litigating position of the Commission, as so declared by the Chair, with the Commission to return to open session. Second by William Abbott. Roll call vote: Patrick Fasanello – aye; Tom Brown – aye; John Hasenjaeger – aye; John Spillane – aye; William Abbott – aye. Included in the session is Rick Mattson Supt. of Sewer and Water and Jackie Cowan, Town Counsel.

**Motion Made** by William Abbott to come out of executive session. Second by Patrick Fasanello. Roll call vote: Patrick Fasanello – aye; Tom Brown – aye; John Hasenjaeger – aye; John Spillane – aye; William Abbott – aye.

### **8:30 APPT. MARK MASTRIANI, PULTE HOMES**

Mr. Mastriani and Mr. Reed are present from Pulte Homes. Mr. Mastriani says there is an agreement to redevelop the former Walpole Woodworkers. They are proposing an Age Qualified Village with 186 residential condos for sale. They are 73 one bedroom and 113 two bedroom and it is a 4-story building. The estimated flow is 24,980 gpd and they are proposing to connect to the Town's water and sewer via East St. with a new onsite sewer pump station. They say they are here to introduce themselves, give an overview of their plans to use sewer and water. Additionally, they say they downloaded the fee schedule and they are asking for consideration with the fees. Mr. Abbott asks Mr. Mattson if they were told what their fees would be and the answer is yes. Mr. Reed asks the policy on irrigation and there is discussion. Parking is discussed and the Board is told there is an underground parking area with one space per unit and then a supplemental surfaced area that is not assigned and there will be 1.8 spots per unit. Mr. Reed is asked how they would be able to stop one from selling to someone under 55 and he replies it would be deed restricted so at least one resident must be 55. Mr. Brown asks how it would be enforced and Mr. Reed says the Federal Housing for Older Person Act allows discrimination if the rules are followed. Mr. Spillane asks what would happen if the condo was left to someone under 55 and the answer is they would have 24 months to get qualified or would need to sell. Mr. Fasanello says then this could result in school children and the answer is yes. Mr. Mastriani says they wanted to get a feel for the welcoming before they move forward with permitting. They are asking for consideration on the inflow and infiltration and would like to ask for a reduction in these fees. They understand the other fees and are prepared to pay them. They are estimating an expected \$1 million in real estate taxed and feel it would be fiscally positive to the Town. They understand the concept of I/I where Title 5 is used but in reality they feel based on experience especially with age restricted the actual usage is less than the Title 5 calculations and therefore asking for a reduction. Mr. Fasanello does not see how something like this could be justified without starting a whole cascade for requests. Mr. Brown reminds that we do not benefit from the tax base. Mr. Abbott suggests they could reduce the size of their project to reduce the rates. Mr. Spillane says there are 2 other large projects in Town that would be looking for the same benefit. Mr. Mattson says there is the option to avail through a mutual agreement, entering into a contract and bond the inflow and infiltration which states when there is a project available they will remove the required amounts. Mr. Hasenjaeger says with the sites location they will be able to avail themselves to public transportation, there is a new senior center being built which would accommodate many of these residents, there is a new fire truck being purchased and other amenities that will benefit their clientele. He does not believe it would be right to give one user exception to the I/I fees. Mr. Abbott says he is not in favor of lowering fees for one project. **Motion Made** by Tom Brown to keep the Commissioner's fee structure as it currently is. Second by William Abbott. Vote 5-0-0.

Mr. Brown asks Mr. Mattson for the status of the operational audit. Mr. Mattson responds that he believes the focus is on the indirect costs and Town Accountant, Jodie Cuneo has a policy that is being reviewed internally and once he receives it he will forward it to the Board. He knows the Board is looking for amounts. Mr. Mattson adds that with regard to the new DPW garage, they are meeting with the consultant tomorrow to determine where and the depth of the monitor wells. They have suggested installing 2 wells.

### **PROPOSED JARVIS FARM SIGN**

Mr. Fasanello is happy with the sign as presented. Discussion has determined there should be 3 signs; one as you drive in just before the pond, one by the parking area and one near Washington #6. Mr. Spillane thought there should be one by the gate but Mr. Fasanello does not want to draw attention to the area. Mr. Spillane feels a camera system should be considered if there are any more problems in the area.

Mr. Brown asks that the Commission be supplied with the phone numbers of employees that are on call in case they need to get in touch with any of them. He would like Mr. Mattson to email the list to them. Mr. Mattson says they change but will email their numbers.

Board members are asking Mr. Mattson to have business cards made for them as Commissioners. This will be done.

**Motion Made** by William Abbott to adjourn. Second by John Spillane. Vote 5-0-0. Meeting adjourned at 9:40 p.m.

*Accepted November 27, 2017*