

**September 8, 2014**

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, September 8, 2014 at 7:00 p.m., at the Edward J. Delaney Water Treatment Plant, 1303 Washington Street.

Present: Roger Turner, John Spillane, Patrick Fasanello, Ken Fettig and Dave Sullivan. Also, Rick Mattson, Supt. of Sewer and Water.

The Chairman opens the meeting.

**SUPERINTENDENT'S STATUS REPORT**

Mr. Mattson reports that the water main at Field Drive has been completed and the residents are pleased as it has solved the water problem. Edgewood Ave. water main is done and it was disinfected today. They will both need final paving and then his men will move on to the Eastland Circle sewer project. He also reports that there was a broken water main on Betty Rd. and a couple of hydrants have been hit. Water demand is up; it has consistently been 3 mgd. Mr. Mattson says it is the first time in 41 years that he has seen SMB in front of the treatment plant bone dry, the groundwater is dangerously low. He says it has dropped down on average 25 inches since June. He is hoping for a drop in demand. He reminds that the Board is meeting with the Finance Committee tonight to discuss their three articles. He says he sent comments to the Planning Board regarding the Al Marhama Islamic Burial Cemetery in which he expressed concerns of the Sewer & Water Commission and Department with regard to the potential negative impact to the Town's drinking water. He believes these comments have been written into the Planning Board record. **Motion Made** by Patrick Fasanello prior to granting approval or permitting the applicant for Al Marhama Islamic Burial Service that the applicant be required to provide scientific data that clearly and concisely shows groundwater movement and migration patterns through the performance of a hydraulic analysis. The applicant shall provide funds to the Town for the purposes of securing the services of a professional consultant to review the provided data and make recommendations on such. In the event that the operation is ultimately allowed any and all protective measures and conditions must be imposed including the installation of groundwater monitoring wells in locations determined by the Town's consultant. The project proponent shall bear all costs associated with the study, review and subsequent testing of the groundwater for an indefinite period of time. Second by John Spillane. Mr. Turner asks who would do the testing and Mr. Fasanello says the applicant will provide the funds for our consultants. Mr. Fettig asks if the drainage goes under Route 1 and Mr. Mattson says he is not sure but given the topography he would guess yes. Mr. Sullivan says it is intended in their plan to shave about 10 feet off of the elevation of this property which would affect the drainage. Vote on the motion 5-0-0.

**Motion Made** by Ken Fettig to accept the minutes of August 11, 2014. Second by Dave Sullivan. Vote 4-0-1, Fasanello abstains.

**DELINQUENT ACCOUNT, 1034 EAST STREET, LIBERTY VILLAGE CONDO ASSOC.**

There is discussion on how this account is an ongoing problem. **Motion Made** by John Spillane to send a letter stating that they have 7 days to bring this account to a current status or the water will be shut off. Second by Dave Sullivan. Vote 5-0-0.

**SEWER EXTENSION APPLICATION – 60 SHUFELT RD.**

Mr. Mattson says the Board's newly adopted sewer extension permit was submitted by Engineer, Dan Merrikin on behalf of this property owner. He says he has reviewed it and the applicants have submitted their checks for inflow and infiltration so he recommends the approval of this permit. **Motion Made** by John Spillane to approve and sign the sewer extension permit application for Shufelt Rd. as recommended by the Superintendent. Second by Dave Sullivan. Vote 5-0-0.

**CONCOM REQUEST FOR COMMENTS – 4 SHOREVIEW LANE**

Mr. Mattson explains that this is an in law addition with a deck and his question was how they intended to connect to the sewer. Mr. Fasanello asks if they are already connected and the answer is yes. **Motion Made** by Ken Fettig to accept this Notice of Intent as presented tonight. Second by John Spillane. Vote 5-0-0.

**PLANNING BOARD REQUEST FOR COMMENTS- DEDHAM AUTO MALL REFILE**

There is discussion as to how this would be sewered. It is determined that because it is not in the aquifer area this Board does not have any concerns. Mr. Fasanello says he would like to sewer Route 1 at some point.

**PLANNING BOARD REQUEST FOR COMMENTS OSRD, 35 LOTS OFF FISHER ST AND NORTH ST**

All available information is reviewed and discussed. **Motion Made** by Ken Fettig to concur with the comments of the Town Engineer with regard to the above subject. Second by John Spillane. Vote 5-0-0.

**IRRIGATION REQUEST – 73 HOUND PACK CIR, CACHECHO**

**Motion Made** by Patrick Fasanello to approve the installation of the irrigation system for the above address subject to all requirements of the Superintendent is met. Second by John Spillane. Vote 5-0-0.

**CONTRACT 2015-14 WATERMAIN REPLACEMENT CONTRACT RECOMMENDATION**

Mr. Mattson says these are the bid results for this contract and his recommendation. Mr. Spillane asks if the Board needs to do anything and Mr. Mattson responds no, as it is the low bidder. Mr. Fasanello reminds that Neal Street still has cement/asbestos pipes. Mr. Fasanello asks if Susi & DiMascio has done work for Walpole before and the answer is yes. He then asks if the town forces could do this project and Mr. Mattson says no.

**SUMMARY OF EVENTS FOR 11 HOOVER RD.**

Mr. Mattson tells that this was requested by Interim Administrator as the homeowner was not happy with the decision of this Board and therefore took what he thought to be the next step. No action is taken.

**BAKER HUGHES PHASE v STATUS AND REMEDIAL MONITORING REPORT**

The Board is told this is information and no action is necessary. Mr. Fettig asks if anything is being done at this site and Mr. Mattson responds that there are just investigations as far as he knows.

**NEW BUSINESS**

Mr. Fasanello says he has several motions to make as he has been away for a long time.

**Motion Made** by Patrick Fasanello to develop regulations to safeguard all water and sewer customer data. Second by John Spillane who says it is reasonable. There is discussion as to how this could be achieved. Mr. Spillane feels it is worth looking into at least. Vote 4-1-0, Fettig against.

**Motion Made** by Patrick Fasanello to treat the water as soon as possible for any suspect substances. Second by Ken Fettig. There is discussion with regard to the fact that the role of this Commission is to protect the Town's water supply and therefore this is what would be done anyway. Vote 1-4-0, Spillane, Turner, Sullivan and Fettig against.

**Motion Made** by Patrick Fasanello to develop programs to conserve water. Second by Ken Fettig. There is discussion regarding the fact that the State will be requiring this anyway. Vote 4-1-0, Fettig against.

**Motion Made** by Patrick Fasanello that the Sewer & Water Commission challenges any federal or state regulation that interferes with Walpole's quality of life. There is no second.

**Motion Made** by Patrick Fasanello that the Sewer & Water Commission inform the Board of Selectmen that the Sewer & Water Commission will have input on the hiring of their agent (Town Administrator). There is no second. There is discussion as to why this would be done.

**Motion Made** by Patrick Fasanello that the Sewer & Water Commission have all of their meetings cablecast as soon as possible. Second by Ken Fettig. There is discussion. Vote 1-4, Spillane, Turner, Sullivan and Fettig against.

**7:30 APPT. FINANCE COMMITTEE RE: FATM ARTICLES BY SEWER & WATER COMMISSION**

Mr. Mattson says the Board has 3 articles on the FATM: Participation of phases 8 & 9 of the MWRA Financial assistance program, which is a formality that all have seen many times over the years; Remediation of the PCB's at the High Plain Street Tank site; and Purchase of the Sharon Country Day Camp. Mr. Spillane gives an overview of what has transpired, how this site is in our Area 1 of our Aquifer Protection Area, and how vital it is to protect this site. It is explained to the FinCom that Area 1 is the most critical area and therefore DEP has determined that the Town must own a 400 foot radius around our wells. This number was arbitrary and the fringe of Sharon Country Day Camp sits 600 feet from our largest producing well (Washington Well #6). Mr. Spillane says this Board will never see a more valuable piece of land that we

have the opportunity to purchasing. Mr. Deneen asks what would be the allowable use if it is purchased and Mr. Mattson responds that the intent is to try to keep it the same. He explains that DEP is very restrictive if the Town purchases it for water protection; if it is the general fund that purchased it then the same restrictions would not apply. It is then asked who controls what happens on the site and the response is, the Sewer & Water Commission because they are protecting the aquifer which is the primary reason for the purchase. There is discussion on town residents who are paying the bill wanting to enjoying and having a say in the land use. Mr. Spillane says the maximum allowable use would be its current use. Sue Lawson of the FinCom says she is 110% in favor of protecting the aquifer she gets a sense that when town meeting learns of the rates being raised for something you cannot touch, feel or taste there will be a lot of questions. To get a town meeting vote the group needs to be prepared to respond to everyone. Mr. Spillane says he wishes the camp was not there and it was just a wooded area. Mr. Fettig wonders if there is recreation here would there be pressure to fertilize and he is told that fertilizing is prohibited. Mr. Fasanello speaks of the Quabbin Reservoir and the controls of it. Josette Burke of the FinCom aside from offering safe water the Board needs to show what other specific benefits the taxpayer will be privileged with or they will most likely not get the vote. There is discussion on it becoming a part of the Town Forest which means it would be open to any activity that is allowed in the Town Forest. Sue Lawson expresses concern of the buildings on the property with regard to the issue of liability especially if it does not remain a camp, they could become inhabited. Mr. Spillane says he personally would like it to remain a camp to get some payback. Another issue would be the need to hire lifeguards for the pond if it remained a camp and Mr. Johnson responds that it would be run the same as the current town pools are run. Mr. Johnson says he and Mr. Spillane are looking to have a walk through for anyone who wishes with tentative dates of Saturday, Sept. 27 from 10:00 to 11:00; Tuesday, October 7 from 4:00 to 5:00, and Saturday Oct. 8 from 11:00 to 12:00. He is waiting to hear back from the Hershman's to confirm these dates. Dan Bruce of the FinCom asks about the effects to the rates and Mr. Mattson responds initially it will be 12 to 14% increase. This would be for the first year which will be about \$70 annually for one who uses 12,000 cubic feet per year. This is inclusive of the projected 2-2 ½ % projected increase. There is discussion that everyone needs to be prepared to answer a lot of questions. Mr. Bruce speaks of the Old Post Water Tank was a major capital and wonders what happened. Mr. Mattson says he will be looking for an appropriation at SATM for rehab of the existing tank and to put in a booster for pressure in the area which will cost about \$1.6 m. Mr. Bruce would like to confirm that the protection of the aquifer trumped the tank rehab and the answer is yes. Mr. Mattson also reports another large ticket item that will be coming up is the treatment of Washington 6. He says it is already treated for trichloroethylene and recently they have found a compound 1.4 dioxane which is a bi-product of the trichloroethylene. There is discussion and Mr. Mattson says the cost for this is \$1.2 to \$1.5 m. Who the responsible party might be is questioned and Mr. Mattson explains that because it is under the maximum contaminant level the State won't probably mandate them to clean it. Mr. Fettig adds that these levels are changed from time to time. Some pipeline projects are another big ticket item coming up. He says Renmar Ave/ Lincoln Rd. have a flow deficiency that will cost upwards of \$1m. Mr. Fasanello says our rates are augmented by our reserve and Mr. Mattson warns that they are not very high. Mr. Deneen asks what our enterprises are right now and Mr. Mattson says he believes water is at \$970,000 and sewer is \$2.1m. Mr. Mattson feels the biggest sticking point on what can be done with the property is the DEP and what restrictions they would impose. There is discussion on this and Mr. Mattson says he will be submitting the application to the DEP. Ms. Lawson says Town Meeting needs as much information as possible. It is asked if there is an opportunity for a lower interest if borrowing from the State and Town Accountant says she will look into it. Mr. Moraski asks how the \$4.5 m purchase price was determined and Mr. Johnson responds through negotiations. He then asks how much of the water enterprise will the Sewer & Water Commission commit to before town meeting. Mr. Mattson says his recommendation is to give \$0 given the projects coming up. Mr. Moraski would like to know if there are any debt service schedules and Mr. Mattson answers that the Sewer & Water Commission already agreed to fund this through the rates. He then would like to know if this would be part of the motion at town meeting and Mr. Mattson says it will be as written. Mr. Moraski then asks the Finance Committee if the main motion can include that it will be paid through rates. There is discussion on the article. Dan Bruce has a problem with the wording in the article where it says "with the intention" with regard to borrowing and being paid by water rates. Mr. Johnson says he can delete the word intention. Mr. Hamilton speaks of his interpretation of market value and suggests eminent domain. Mr. Fasanello says there is a state law which allows a water seizure somewhat like eminent domain however it would be a legal process for a missed opportunity. He feels this is a friendly party working with us and taking the land is not a good idea. There is discussion on if the town meeting falling apart thus there being no agreement. Ms. Lawson says it needs to be stressed that there is a time limit on this purchase.

Article 19 which is the cleanup of the PCB site on High Plain Street is then discussed. Mr. Mattson gives the background story of what has transpired to date and how excavations that were tested for lead was also tested for PCB's as required by

the disposal site and were found to be present in the soils. To date approximately \$80,000 has been spent sampling and investigating the site. There are some hot spots. Mr. Mattson says he has received an estimated cost between \$325,000 to \$400,000 to cleanup. Mr. Fasanello asks if has been determined where it came from and there is discussion on potential sources but the real answer is unknown. It is stated that the Town owns the property and responsible for remediation. Mr. Bruce notices that article states "from sewer enterprise" and it should be from water enterprise. This will be changed. The FinCom asks Mr. Mattson if the final price will be available before September 29<sup>th</sup> and he answers yes. Mr. Fasanello asks if there are any federal or state grants available to help with the cleanup and Mr. Mattson says he will ask their consultants to check.

Inflow and infiltration authorization to borrow for Phase VIII and IX for the loan portions are discussion. Mr. Mattson says Phase VIII 45% grant and 55% loan and Phase IX is 75% grant and 25% loan. There is explanation given as to how I/I removal affects the town's MWRA assessment and the need to constantly pursue the removal of I/I.

Mr. Deneen goes back to Mr. Mattson talking about a pump to increase the Old Post Road area pressure and asks if this would cause pipeline failures. Mr. Mattson responds that he is not concerned as it would be a constant pressure, not a surge of pressure and also it would not be that much higher.

Mr. Hamilton brings up the proposed cemetery on Route 1 and is insistent that the Town require a 21E. Mr. Mattson tries to explain that this is private property and we cannot require this. **Motion Made** by Patrick Fasanello to recommend the proposed cemetery site at Route 1 and Foxhill Drive is subject to a 21E. Second by John Spillane. Vote 4-1-0, Spillane against.

Mr. Johnson speaks on Barberry Homes and the fact that the State may issue a comprehensive permit tomorrow. He says our attorneys feel that the 1:2.744 ratio for I/I is too high. Mr. Fasanello feels that this would be setting a precedent for others. Mr. Mattson says this Board hired Weston and Sampson to review data and flows and to come up with a defensible ratio. Mr. Fasanello says they came up with a one day peak and our system should be designed for peak flow. Our consultant reviewed 2 or 3 months of data that comes out every 15 minutes. He said 2.0 to 2.5 are easily justifiable and he can show that 2.744 was the highest peak in the data he reviewed so he could defend it. Mr. Fasanello says it is irrelevant, if it is 1 over flow at peak we need to plan for it. There is discussion and Mr. Fasanello says this would be a danger to the Town. Mr. Mattson says there would be danger would be if it were lowered for this project as we would be challenged to lower it for others. Mr. Fasanello does not understand why we are bargaining with them at all.

**Motion Made** by Dave Sullivan to adjourn. Second by Ken Fettig. Vote 5-0-0. Meeting adjourned at 9:25 p.m.

*Accepted September 22, 2014*