

June 14, 2010

A regular meeting of the Board of Sewer & Water Commissioners was held on Monday, June 14, 2010 at 7:00 pm at the Edward J. Delaney Water Treatment Plant, 1303 Washington St.

Present: John Spillane, Kevin Muti, Roger Turner, Patrick Fasanello and Ken Fettig. Also, Rick Mattson, Supt. of Sewer and Water; and Scott Gustafson, Asst. Supt. of Sewer and Water.

**REORGANIZATION**

Nominations are accepted.

**Motion Made** by John Spillane to nominate Kevin Muti for Chairman. Second by Roger Turner. Vote 5-0-0.

**Motion Made** by Kevin Muti to nominate Patrick Fasanello as Clerk. Second by Roger Turner. Vote 5-0-0.

All abatements submitted tonight are reviewed and signed.

**Motion Made** by Kevin Muti to accept the minutes of May 24, 2010. Second by Roger Turner. Vote 5-0-0.

**NOTICE OF ENVIRONMENTAL SAMPLING – MOBIL, 750 MAIN ST**

There is no action necessary for this correspondence.

**PLANNING BOARD DECISION – 600 MAIN ST**

There is some discussion however no action is necessary and it is considered to be a read and noted.

**WATER RATES BY CHRIS WOODCOCK**

Mr. Mattson says this is an article that he had come across and is more of an FYI for the Board.

**REQUEST FOR IRRIGATION SYSTEMS**

There are six requests within the Toll Brothers subdivision that are requesting permission from the Board to install underground irrigation systems. **Motion Made** by John Spillane allow irrigation systems at 18 Anderson Way, 125 Endean Dr. and 34, 42, 49 and 62 Hound Pack Way; provided that the standard guidelines and requirements of the Superintendent are adhered to. Second by Patrick Fasanello. Vote 5-0-0.

**SUPT.'S BID RECOMMENDATION, WATER TREATMENT CHEMICALS**

Mr. Spillane asks how the prices look and Mr. Mattson responds that they look good and actually many had gone down with fluoride being the only one that had gone up. Mr. Fasanello says he was speaking with medical staff at a local hospital and when they found out he was a Commissioner the subject of fluoride being added to the water was brought up. He was surprised to find out how many of them were against the addition of fluoride. He believes that most of this fluoride is being put into the ground as most of the people do not drink directly from their taps and there is a lot of money being spent unnecessarily. Mr. Fasanello wants it on record that he intends to vote against these bids because he does not believe we should be purchasing hydrofluosilic acid, which is fluoride. He would like the Board to agree to ask the Town

Administrator to place an article on the next warrant to remove this from our water. He is not even sure why it has to be put on the warrant. Mr. Mattson explains that it was a town meeting warrant article that was favorably voted in years past that put it into our water so the same steps must be taken to remove it. **Motion Made** by Patrick Fasanello to request that the Town Administrator place an article on the Fall Annual Town Meeting Warrant for the removal of fluoride from the Town's water supply. Second by Roger Turner. Vote 4-1-0, Fettig against. Mr. Fettig questions the large range between high and low bid for ammonium sulfate. Mr. Mattson says he does not know because there is no difference in the product. He believes it may be because one has to purchase it from a second party. **Motion Made** by Roger Turner to concur with the recommendations of the Superintendent for the bid prices on the water treatment chemicals. Second by Kevin Muti. Vote 4-1-0, Fasanello against.

### **PINE STREET ENTRANCE FEES**

Karen Riddle of 87 Pine Street is present for this discussion. Ms. Riddle explains that she was told by Selectman McKenzie that there would be no charges to connect to the Pine Street sewer because of the inconveniences they have encountered. Also, she was told by Ms. McKenzie that there would be no betterment charges. Mr. Mattson says that if this is true then Ms. McKenzie did not provide the correct information and he believes that much of the confusion is that there needs to be clarification between betterment assessments and entrance fees; as well as assessed property versus non assessed property. Ms. Riddle says that she called the Commissioner's office in the fall to verify what she was told, which included that there would be no cost to her to hook up due to the fact that things did not go smooth and the road conditions that they put up with. She is asked who she spoke with in the fall and she says she does not have her paperwork with her but it was a male. Mr. Mattson says that this would have been him and he would have never had said this. Additionally she says it was not a 3 month project as originally promised. Mr. Fasanello responds that projects similar to this always encounter road problems this was not different than any other project like this. Mr. Mattson adds this also added a significant value to their home. He feels there is a sense of confusion between betterments and entrance fees. Mr. Muti confirms that none of the people that benefitted from this particular have been charged a betterment charge and our past policy has been that if a betterment charge is not assessed then the higher entrance fee would be paid which at this time for sewer is \$2800. Mr. Fettig notes that betterments can be paid over a period of years and asks if the same can be done for entrance fees. Mr. Mattson says the betterments can be spread out over up to 20 years but entrance fees must be paid up front. However, he adds that there is nothing to prevent the Board from establishing a special entrance if they so wish. Mr. Turner says he is interested in a timeline of when she spoke with the selectperson. Ms. Riddle says her husband spoke with her last fall, in the spring she had already hooked up and then the inspector found out and informed her there was paperwork that needed to be filled out. She says her husband was told there would be no fees because the project had not gone smoothly and they took her at her word. Mr. Spillane says he feels the Board needs to go with past practice. Mr. Fasanello says this case is a little different. Normally sewer is installed because the majority of abutters request it. This sewer was installed to alleviate a problem and none of these people had actually asked for it. There is further discussion on sewer that is petitioned and how they would be assessed. Mr. Fasanello says the Town did the work however if they could not have done the work, the Board would have hired a contractor to remediate the problem. He says these people did not ask for this sewer and it was a town appropriation that paid for the project and the abutters had no say. **Motion Made** by Patrick Fasanello to charge a special entrance fee of \$150.00 for all sewer entrances in this Pine Street project (12 houses). Second by Ken Fettig. Mr. Turner says this is a unique situation where the sewer was installed for an odor problem not for septic problems in the area. Vote on the motion 4-1-0, Spillane against.

### **7:30 PUBLIC RATE HEARING**

Present for the hearing are Town Counsel Jackie Cowan and Resident Joe Moraski. The intent is to go into executive session upon opening the rate hearing. **Motion Made** by Mr. Fasanello to include Mr. Moraski and Ms. Cowan in the executive session. Second by Mr. Fettig. There is discussion. Mr. Moraski says there is no need to include him in it as he is only here to discuss a few items about the rate hearing. Vote on the motion 3-1-1, Spillane against, Turner abstained. **Motion Made** by Patrick Fasanello to open the rate hearing. Second by John Spillane. Vote; Fasanello-aye, Spillane-aye, Muti-aye, Fettig-aye, Turner-aye; 5-0-0. Mr. Moraski is allowed to address the Board. His first question is regarding whether or not all projects that are approved by Town Meeting are included when determining the rate setting and the answer is yes. His next question was if any of the retained earnings are used in determining the rate and this answer is also yes. Mr. Moraski then asks to speak about the Septage Facility. He expresses concern over the lack of use as there was a lot of money spent on building this facility. There is discussion about the facility and past attempts to attract more business. All agree that this should receive high priority on their to-do list as something definitely needs to be done. Mr. Fasanello says that the State tied our hands. There is discussion over the fact that Boston has an agreement with the Town of Walpole and that Canton is an approved facility. Mr. Fasanello feels it would be a good idea to invite the surrounding non MWRA communities to use our facility. It is explained that a petition of legislation would have to be sought. Mr. Mattson explains that the ZBA required that when the truck was emptying it had to be inside with the door closed. Many trucks these days do not fit. Mr. Moraski says we could ask the ZBA to revisit their restrictions and request modifications. This will be pursued further. **Motion Made** by Kevin Muti to go into executive session to discuss strategy related to ongoing litigation as this discussion during an open meeting could be detrimental to the litigation. Second by John Spillane. Vote; Fasanello-aye, Spillane-aye, Muti-aye, Fettig-aye, Turner-aye; 5-0-0. **Motion Made** by John Spillane to close the executive session. Second by Patrick Fasanello. Vote; Fasanello-aye, Spillane-aye, Muti-aye, Fettig-aye, Turner-aye; 5-0-0. The rate hearing continues. **Motion Made** by Patrick Fasanello to hold all fees as they are in the current fee schedule. Second by Ken Fettig. Vote 5-0-0. The water rate is discussed. Mr. Mattson says administration is proposing a 5.33% increase. **Motion Made** by Ken Fettig to accept the water rate proposed which is \$46.85 per thousand cubic feet, to go into effect July 1, 2010. Second by Patrick Fasanello. Vote 4-1-0. Fasanello against. Sewer rate is reviewed. Mr. Mattson says that administration is proposing a 5.21% increase. **Motion Made** by Kevin Muti to accept the sewer rate proposed which is \$79.09 per thousand cubic feet based on 80% of water usage and effective July 1, 2010. Second by Ken Fettig. Vote 5-0-0. **Motion Made** by Kevin Muti to use the same percentage base for the other rates in the fee schedule such as out of town rates, seasonal rates, etc., and these are also to take effect July 1, 2010. Second by John Spillane. Vote 5-0-0. **Motion Made** by Roger Turner to set the septic rate at .05 per gallon. Second by Patrick Fasanello. Vote 5-0-0. **Motion Made** by Kevin Muti to close the public hearing. Second by John Spillane. Vote 5-0-0. Hearing closed at 9:05 p.m.

Mr. Mattson report that they have sent out 110 certified last chance letters for the meter modification program. There are about 380 residences that have not responded and need to be addressed. He says we are issuing final notices by cycle and needs a vote from the Board. There is discussion. **Motion Made** by Kevin Muti to post a notice on the doors in question informing them that they have 2 weeks to get their meter changed or service will be terminated at this address. Second by John Spillane. Vote 3-2-0, Fettig and Fasanello against.

Simazene is discussed and Mr. Fasanello says we need to figure out how to get it out of the water. Mr. Mattson explains that it is below the MCL and Mr. Fasanello says he does not care he wants it out of the

water. Mr. Mattson says if the Board is serious then an RFP for a pilot study must be done and town meeting needs to appropriate the money for this. Mr. Spillane and Mr. Fettig both feel that if it is not over the limit then we should not be spending the money. **Motion Made** by Patrick Fasanello to do whatever it takes to remove all simazene from the water. Second by Ken Fettig. There is further discussion and most Commissioners feels there needs to be further research before taking this step. Vote on the motion, 1-4, Fettig, Spillane, Turner and Muti against. The motion fails.

Mr. Fasanello asks that the water fountains around town be turned on for the July 4<sup>th</sup> celebration. This will be done if not already addressed.

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

*Accepted July 26, 2010*