

December 13, 2010

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

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

All abatements submitted tonight are reviewed and signed.

Motion Made by John Spillane to accept the executive session minutes of November 8, 2010. Second by Ken Fettig. Vote 4-0-0.

Motion Made by John Spillane to accept the minutes of November 22, 2010. Second by Ken Fettig. Vote 3-0-1, Muti abstained.

REQUEST FOR IRRIGATION SYSTEM – 4 HOUND PACK CIRCLE

The Commission reviews the request and wonders why Toll Brothers is applying for this address. It is explained that the developer is applying for the irrigation so that when it is sold it already has the irrigation system in it. Board members say they are not happy with this concept as the developer is agreeing to meet the specifications and any water policies when in fact it should be the homeowner. It is explained that there were others in the past that were approved this way and the Board says they did not realize this. **Motion Made** by Kevin Muti to deny this request for an irrigation system until the homeowner is known and commits to meeting our required specifications and abide by our water management policies. Second by John Spillane. Vote 4-0-0.

BILL DISPUTE – 49 HOUND PACK CIR.

The secretary recalls the lady of the house coming to the office to find out the procedure for an irrigation system. When she was told she had to put her request in writing, she did this right at the office at this time. The second meter procedure and billing changes were also explained to her at this time. She says that the office is not in the practice of recommending whether or not a second meter should be installed. They are simply told the procedure and an explanation is given as to what should be considered when thinking about installing a second meter. The chairman asks that the records for this account be brought to the next meeting to show how much the bill actually was and the deduction the homeowner made to their account. It is also asked that a letter be sent to the homeowner explaining that should this bill not be remitted he may encounter penalties and interest as well as a possible lien on their tax bill. This will be done.

REQUEST FOR BILL ADJUSTMENT – 12 MAUDE TERR

The homeowner has asked for consideration on their most recent high bill based on the fact that they were away while their toilet was running. All information is reviewed and discussed and all agree that it is the homeowner's responsibility to insure that their plumbing is working properly. **Motion Made** by Kevin Muti to remain consistent in our policy of all water passing through the meter having to be paid for whether used or wasted and therefore deny the homeowners request for an adjustment to their bill. The homeowner should also be made aware of the Town's payment plan that is available. Second by John Spillane. Vote 4-0-0.

REQUEST FOR WATER IN DOVER

John Carrigg is a developer that intends to demolish the gas station at 67 County Street (Route 109) in Dover and proposing to build four homes. He has hired Attorney James Brady to pursue the thought of connecting to Walpole's water system. Discussion is held regarding selling water to out of town clients especially since our water management permit pumping ability is questionable. **Motion Made** by John Spillane to send a letter to Mr. Brady indicating that this Commission has no interest in providing Walpole water to his client. Second by Roger Turner. Vote 3-1-0, Fettig against.

SELECTMEN GOALS AND OBJECTIVES

Mr. Fettig notes that there is nothing in this document related to sewer and water. It is considered by the Board to be read and noted.

EASEMENT ACCEPTANCE – WALDEN DRIVE

It is explained to the Commission that these easements were previously required by this Board and was part of site plan approval. However until now there were issues in the subdivision punch list that needed addressing before we could accept the easements. All has been taken care of and the Town Engineer has prepared the documents for us to accept the easements and record them at the Registry of Deeds. **Motion Made** by Kevin Muti to accept and sign the easement documents presented by the Town Engineer and have her record them at the Registry of Deeds. Second by John Spillane. Vote 4-0-0.

METER REVERSE READS – 501 NORTH ST.

Mr. Fettig says these people need a letter to let them know what is going on here. There is discussion on what happened and Mr. Muti asks that a letter be sent to the homeowner telling them we will carefully watch the account to insure that it does not happen again. This will be done.

7:15 APPT. BELTRAMINI, 8 BARBARA RD, WATER CHARGES DISCUSSION

Mr. and Mrs. Beltramini are present and they explain that they need to know what happened the last time they went away does not happen again because it caused them to receive a large bill and they cannot afford pay this kind of money. They are told that they should take up our offer and let us know when they are going away again and leave us with a contact phone number. They say that this is very kind but they would like more action taken. The Board asks that the Department pull the meter and have it tested. This will be done and the Beltramini's are happy with this action. They will be contacted for an appointment to pull the meter.

STORED MATERIAL AT DPW YARD, 1385 WASHINGTON ST.

This document is to the Planning Board from the DPW Director and this Board was copied and considered informational. It is read and noted.

5TH FAIRWAY DEVELOPMENT – CASE #18-08, WALPOLE

This is just to inform that there will be additional information coming. It is read and noted.

SEWER BACK UP, 2 WASHINGTON ST., FOXBORO

It is explained that the sewer backed up due to a grease problem. The property was sent a bill for all services received and the bill was paid.

PLANNING BOARD DECISION – WALMART SITE PLAN

There were no sewer and water changes so this is read and noted.

PLANNING BOARD DECISION – WALPOLE PARK SOUTH VIII SITE PLAN

This document is read and noted.

PLANNING BOARD DECISION – SPEC. PERMIT WALPOLE PARK SOUTH VIII

This special permit is for impervious cover only at this site and it is read and noted.

NEW DEVELOPMENT TO OPEN MEETING LAW

This information is read and noted.

2011 SATM CAPITAL BUDGET FOR WATER AND SEWER

The Board feels that Supt. Mattson should be present for discussion on this submittal. It is asked that it be put on the next agenda so that Mr. Mattson can answer any questions they might have.

WATER VIOLATION DISAGREEMENT – 24 HOMEWARD LA

There is discussion on how Ms. Gupta had attended the last meeting but it was cut short due to an emergency that left the Board without a quorum. However, Ms. Gupta had explained why she wanted her violation waived prior to the meeting ending. Also, Mr. Muti explained that he had a phone conversation with Ms. Gupta and also the employee who issued the ticket was interviewed for her version of what had occurred. There is discussion and although sympathetic, the Commission feels they need to remain consistent with their decisions. **Motion Made** by Kevin Muti to send a letter to Ms. Gupta stating that her request to have this violation waived is denied. Second by Ken Fettig. Vote 4-0-0.

JOINT MOTION IN NORFOLK SUPERIOR COURT

This is read and noted.

FINAL PEER REVIEW REPORT WALPOLE PARK SOUTH VII SPECIAL PERMIT

Representatives of Walpole Park South are present for this discussion and they are told they do not have an appointment. After much discussion it is determined that although they are not on the agenda with an appointment, they will be able to speak to the report which is on the agenda. Mr. Muti says the report can be discussed and the comments and questions can be made. Mr. Turner says he is very happy that CAS #'s are be used as it puts things in more defined terms, however we need to be sure that we are happy with what is on the list. Mr. Murphy says if they are looking for additional information in the document then he would like to hear it. Mr. Merrikin, engineer for the Mr. Murphy says he appreciates the opportunity to discuss the peer review. By presenting this chemical list for peer review, there were 7 chemicals actually removed from the initial. He says the purpose of having the peer review done was to put chemical use and storage into categories and hopefully create a special permit that would be acceptable by all. Mr. Johnson, LSP for Mr. Murphy, says what Cambridge Environmental did was update the chemical list that Woodard and Curran had come up with in 2002. He says 155 chemicals were approved for use, 7 chemicals came off the list and petroleum hydrocarbons were moved in category from 2 to 3. Mr. Turner asks why the petroleum's were being measured in gallons and not pounds and Mr. Johnson answers that it is because these are liquids, only solid petroleum would be in pounds. There is some discussion on reportable quantities (household quantity) and Mr. Merrikin says

the Zoning By Law describes in terms of household quantities. Mr. Merrikin says they are asking to be allowed to use the information before them tonight as an improved list. He says it is proposed to be set up similar to the other buildings in Walpole Park South. The list of chemicals would be given for review to the Planning Board, Sewer & Water Commission, Building Inspector, Board of Health and Fire Chief. Each has 10 days to review them and either says okay or no, in which case there would have to be a hearing. This practice is an effort to avoid an 8 month process to get each chemical approved for storage and/or use. He asks that the Board keep in mind that if they have any doubt with any chemical they still can say no and then the hearing would be held. Mr. Turner says he makes no secret of the fact that he is an advocate of protecting the water supply as well as an advocate of the first responders – the Fire Department. He feels that they do not need any surprises. For safety reasons they need to know how things are stored and where. Mr. Spillane asks what they are looking for from this Board. Mr. Macchi II, attorney for Mr. Murphy, says the list is the list and it is not going to change. He is looking for the Board to accept it as presented and as categorized. Mr. Muti inquires, using ethylene glycol as an example, and asks if the Board has any concerns what they would need to do for an evaluation. Mr. Macchi says they would come back to this Board, the Board of Health, the Fire Dept., the Zoning Enforcement Officer and probably the Town Planning. If we didn't understand, we could ask for peer review and if they say no then this chemical is out. Mr. Turner says he would like to see an overall reporting process without quantity limits, as well as training requirements for spills. There is further discussion. Mr. Spillane confirms that what they are looking for is our comments sent to the Planning Board. It is determined that the Fire Department determines how the chemicals are allowed to be stored. Mr. Macchi says he understands that our main issue is to make sure that a risk assessment is done so that we can look at it and be able to say these are our issues. Mr. Muti says it appears that the controls are in place, however we are not chemists and we need to rely on our knowledge based experts in town. He says if we have a concern then we can challenge it and the controls are in place if we don't like it to deny the storage of it. With the Risk Assessment undertaken it would then come back to us to allow us to express our concerns. Mr. Macchi says they are not looking for us to approve anything, all they are asking is that we say that we looked at the peer review and have the following concerns or not. It still needs to be reviewed and approved by the Planning Board. Mr. Spillane asks Mr. Murphy if he knows the type of business intended to be put here. Mr. Murphy responds that he hopes to put something similar to what is in the other buildings. Mr. Spillane says his concern is that it is sitting on top of the aquifer. Mr. Murphy says he runs a first class operation and looks for "clean" tenants. There is further discussion. Mr. Fetting suggests that Mr. Turner put his concerns in writing and Mr. Turner responds that this is not something he does easily and they are in the minutes. Mr. Muti says he would like to go on record as having no problem with the peer review report. **Motion Made** by Ken Fetting to send a letter to the Planning Board stating that this Board accepts the peer review along with any commentary that was provided at tonight's meeting. Second by John Spillane. Vote 4-0-0.

Motion Made by John Spillane to adjourn. Second by Roger Turner. Vote 4-0-0. Meeting adjourned at 8:25 p.m.