

Meeting Minutes
Charlton Water and Sewer Commission
Date: March 9, 2009

Location: Selectmen's Meeting Room - Town Hall

Attendees:

<u>Members</u>	<u>Present</u>	<u>Members</u>	<u>Present</u>
John Elliott, Sr.	N	Joseph Haebler	N
Sandra Dam	Y	Paul Gagner	Y
Robert Lemansky	Y		

Recording of minutes by Carol Goodspeed, Department Assistant

Meeting was called to order by Mr. Lemansky, Vice Chairman at 7:05 p.m.

The Commission reviewed warrants. With respect to the Osterman Propane warrant, **Ms. Dam moved that we direct our administrator to check into gas prices; seconded by Mr. Gagner; unanimous.** Mr. Lemansky: Do we have a contract with Osterman? He directed the question to Ms. Dam. It needs to be checked on and also we need to check whether Osterman maintains the tanks. **Ms. Dam moved to direct the administrator to review the gas pricing and the Osterman folder regarding contract; seconded by Mr. Gagner; unanimous.** Ms. Dam: **I move we approve the two Kopelman & Paige legal bills as presented; seconded by Mr. Gagner; unanimous.** Ms. Dam: **I move we approve three maintenance and equipment warrants as presented; seconded by Mr. Gagner; unanimous.** Ms. Dam: **I move we approve the two Southbridge connection warrants dated March 9th as presented; seconded by Mr. Gagner; unanimous.** Ms. Dam: **I move we approve the capital and replacement warrant as presented; seconded by Mr. Gagner; unanimous.** Ms. Dam: **I move we approve of the engineering consultant warrant dated March 9th as presented; seconded by Mr. Gagner; unanimous.** Ms. Dam: **I move we approve the North Main Street extension March 9 warrant as presented; seconded by Mr. Gagner; unanimous.** Ms. Dam: **I move we approve the abatement warrant for 6 City Depot Road; seconded by Mr. Gagner; unanimous.** Ms. Dam: **I move we approve of the revised abatement warrant for 88 Glen Echo Shore Road; seconded by Mr. Gagner.** For the record, Ms. Dam: I expressed concern that we were assured it was right after I questioned it and it was in fact wrong. To me that is a concern; that it was not reviewed and looked at; the board voted; I had to vote no and come to find out it was wrong; and that three commissioners still signed it. **Vote to accept the revised warrant: unanimous.** Ms. Dam: **I move we approve the third quarter FY 2009 grinder pump violation warrant; seconded by Mr. Gagner; unanimous.**

Ms. Dam: I move we approve the January 26th minutes as corrected; seconded by Mr. Gagner; unanimous. Ms. Dam: With respect to abatements, the more important part is what is being billed, not what they paid. We correct our part and the town collector does the other part.

Ms. Dam indicated that she had not read the February 17th minutes; and made a **motion: I move that we hold the February 17 minutes until the next meeting so that those of us who have not reviewed them can; seconded by Mr. Gagner.** Mr. Gagner questioned whether Ms. Dam

had abstained from approving the warrant for Steve's Repair; and Ms. Dam indicated that she had abstained; **vote: unanimous.**

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Old Business: The Whitewater contracts regarding the connection of pipes have been signed and sent out: 2 copies to Weston & Sampson; 1 copy to DEP; 1 copy to Whitewater; and one copy to our town accountant. Steve indicated that if another copy was needed, it could be made at BT Copy at a cost of \$20.

National Grid work order: Regarding the water tank, addresses have been established as follows: water tank: 127 Worcester Road; anchor pole: 133 Worcester Road; the new pole: 123 Worcester Road.

FEMA: Steve will meet with Carl Ekman (designated FEMA contact in the Police Department) to complete forms by March 20 with respect to the December 2008 ice storm.

Mr. Lemansky: where are we on the engineering quotes for the Muggett Hill Pump Station work? Steve: All engineering quotes are expected to be in by March 11th.

7:30 p.m. The Commission met with Robert Peirent from Tighe & Bond. He presented a sealed bid for the Muggett Hill pump station work. Economic stimulus funding: the \$787 billion included \$4 billion to be allocated to the EPA to help further fund the SRF. Of the \$4 billion being distributed to the EPA, \$139 million of that is being distributed to Mass DEP to be funneled through the clean water program. Another roughly \$50 million is being funneled through the clean water program. The approach DEP is taking is that the bill requires shovel ready projects. Mr. Peirent discussed the economic stimulus funding. The potential savings could be between ½ million dollars and a little over \$1 million. He presented four scenarios to the Commission with respect to dollar savings between a typical 2% reduced interest loan and other options that may be proposed by Massachusetts DEP. Because we submitted paperwork timely and have a shovel ready project, we will be in the first pool for funding. The upgrade fits into the first bill. The DEP has to look at projects that meet the criteria. The EPA had to provide the state with information as to what projects would be getting funding. A contract will have to be signed; plans will need to be completed. Construction could begin in late July. November – April is typically when all paperwork is prepared and contracts signed. If construction begins in July, it should be wrapped up by the following July. There is not a lot of earth removal. Everything will need to be fabricated to order. There was a brief discussion revolving around the copper problem that the plant has had. Mr. Peirent advised that the state has re-assessed the manner in which they set copper standards, and will be lowering their limits which standards have been too excessive. Hopefully, we will avoid violations of copper in the future. The following items are contained in Tighe & Bond's letter of February 26, 2009: 1. eliminate the sodium hydroxide storage and day tanks and rely on feeding from drummed chemical; provide a third 500 gallon batch tank for making larger batches of sodium bicarbonate. This is labor intensive but our contract operator advised Tighe & Bond that this was their preferred method. 2.

Increase head and capacity of the proposed plant water system. 3. Add a bag filter for the plant water system. Tighe & Bond will perform these services (items 1-3) at a cost of \$3,750, invoiced monthly based on percentage of completion. **Motion was made by Ms. Dam to sign this agreement as soon as possible; seconded by Mr. Gagner; unanimous.** The administrator was asked to sign this agreement.

Discussion continued: Mr. Peirent advised that on December 1, 2008, Tighe & Bond was asked by the commission to incur sufficient additional costs in the re-design of the plant. This was a good investment and benefitted the commission. We piloted the CoMag system and there was a significant re-design (instead of a gravity system, it would have to be a pump system). On July 30, 2007, the commission decided to move ahead. Tighe & Bond only had two and one-half months to complete

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what they needed to do. This work would normally take 6 months to complete. Testing by Tighe & Bond during the design phase discounted the effectiveness of some process changes by Woodard & Curran, which led to deletion of some improvements to address budget constraints. We worked from

October of 2007 to June of 2008 to come up with a cost-effective solution that incorporated CoMag phosphorus removal technology preferred by the commission staff and its contract operators. Task 1 if we choose to separate them, would be the engineering bidding task; and 2 would be the overview of the construction. Task 1: what type of engineering costs would be associated (\$30K+ for the bidding); this project has to go through a multiple process; i.e., dealing with electrical contractors; sub-bidders. Mr. Lemansky: We had a discussion about this in August of last year and I thought the discussion was left open-ended; and we agreed that Tighe & Bond could come back before us; but we voted not to spend any additional funds. Ms. Dam: the board asked them to do a lot of this work, but they never stopped even though the commission was wavering back and forth. I think they have made an extreme case here. It is all laid out. I'm not sure I could grant the \$25K. I think we should make a good faith effort; they waited for us; they went outside the norm for most engineers I've seen. Mr. Gagner: I've often done work that was over and above an initial contract. I never recouped anything from that. I am appreciative of what you have done and that adds to the good will which would perhaps insure you of working on the next project. **Ms. Dam: I move that we meet Tighe & Bond half way because I believe that we have \$12,500 left in our engineering budget; if not, that we would take it from another line item—maintenance; and that we grant them \$12,500 in addition to their contract for the extras that this project would take to make it shovel ready and in time for the stimulus.** There was no second. Mr. Lemansky: I would like to see our other two members here before we vote on this. Notes have been taken. We appreciate people who go up and beyond the call of duty. Those are the things that matter when it comes time as to who do we use? Who do we stay with? Who do we respect? Who do we know who will be there when times get tough for us? Mr. Elliott will be back next month and we can discuss this then. Mr. Peirent: we appreciate the chance to discuss this. Mr. Lemansky: please make sure Mr. Haebler and Mr. Elliott get copies of this packet. Steve and Mr. Peirent will work to get the project ready by July 1. Meeting ended with Mr. Peirent at 8:15 p.m.

Old Business: CoMag (60 day extension to April 12, 2009) Steve: I keep this on the agenda as a reminder. I was given direction to come up with an order. I spoke with Bob Peirent, and he is getting me a description and that letter of intent will be addressed to the provider of the CoMag system. Mr. Lemansky: we received a 60 day extension; this is the second one; are we going to do this? We will if the money is available for the sewer improvement project. CoMag is looking for a purchase order so they can get going. We need to make sure the money is available before we go forward. Ms. Dam: The approval for the SRF funding is in place. We also have assessed the privilege fees. Whatever the amount is, it should not matter as we have the funding. Steve needs to talk to Joan and Keith about this. Mr. Lemansky: He read from a letter sent by the DEP dated December 28, 2007. The letter reads, "The Trust will now conduct an analysis of the financial information contained in your application. Loan commitments will then be made to you by the Trust pending an affirmative vote from the Board of Trustees. The process of finalizing the actual loan agreement will begin once the commitments have been executed." Ms. Dam: I think that is one of those paperwork issues that lags behind with the actual borrowing. Most of the projects you receive money upfront. If we have money available already, it would need a town meeting vote because we have the betterment assessment. It needs to be in a budget and from that account. We should ask the administrator to have an answer at our next meeting. Steve needs to understand how to get the money through the certificate; how the treasurer and accountant handles this borrowing. Any other questions, Bob Peirent could explain how the SRF funding works. Steve will plan to speak with Keith, Joan and Robin. Mr. Gagner inquired what amount of a deposit CoMag will need. Steve will report back to the Commission at next meeting.

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Electrical quote regarding the water tank: Bids were opened today by the Board of Selectmen's office. Of the 11 people spoken with, there were four providers. We will need to vote on this at the next meeting. Easements: We are waiting on Verizon. Steve has provided all information requested; and will plan to speak with Verizon on Tuesday. With respect to telemetry, two people were recommended by Southbridge as being familiar with their equipment. Mr. Lemansky: During the week, Steve met with an individual who was familiar with tanks similar to ours and they talked about winter icing in the tank and possible solutions to this problem; i.e., agitation of the water. My first impression was we should talk to the telemetry people, put a camera in there and view what happens in the next one or two years; and then address the process if necessary.

New business: stimulus letter regarding North Main Street. Steve indicated we are waiting on a couple of pieces of information. I'm planning to send this letter out. Ms. Dam: we can only show them the date and approval of the \$1.8M. Mr. Lemansky spoke with Tara McManus on Thursday regarding the North Main Street water line. I believe the original \$1.8M included entire flowable fill throughout the project which is the most expensive. Ms. Dam: I don't feel this has anything to do with the letter. Mr. Lemansky: We can author a letter for this Friday including our engineer's note – the only thing missing from the plan would be the request for determination from the Conservation Commission and this work has been completed as far as the letter goes. Then on Monday we can make a determination item by item as to whether we approve of the values so we can move forward. As time has gone on and new information has come in, we will need to extend the line running a lateral over the common or around both sides up and beyond

Burlingame Road at least to the corner of Muggett Hill Road. Ms. Dam: regarding meetings, certified copies of votes taken at town meeting are kept at the plant. There are usually two done a year. The department assistant keeps the book for tie-ins. There are also votes contained in past minutes. Ms. Dam: If the commission wants to put something in this letter regarding considering an extension of this project – it can be listed in the letter. The commission is currently considering extending this line; currently there is no vote. We await your decision. Steve was asked to contact Mr. McCurdy as to procedure. Ms. Dam: ask him if it is best to include what we are doing now or include additional items that are going to be done eventually. Mr. Lemansky: Do we have state funding regarding projects under the first pool of projects? The answer from Mr. Peirent was we would have had to apply months ago. The commission will further discuss this at the next meeting.

Chemical safety strategy rules – to Steve: have we asked Weston & Sampson about whether any of these rules apply to what we are doing since it is going to be done in 2010? Ms. Dam: I don't think it affects us right now – only if we do another project. Steve will send this information to Tom Cutler in tomorrow and ask if this has any bearing on our project.

New sewer laws: Ms. Craver provided these this evening. Ms. Dam felt these would not affect us right now – only if we do future projects. She suggested Steve contact Bob Peirent and inquire about same.

Sewer chimney work on manholes was discussed.

Steve: Regarding ICS Systems - they took the radio transmitting unit – I was trying to recover it and I got a bill. They are asking us for \$6,000. Ms. Dam: We awarded the contract and then pulled it. If they had to bond the project, that would have been an expense they would probably look to recover. Steve was asked to talk to Weston & Sampson and see what their view is of this.

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Privilege fees: Ms. Dam: 9 J Hammond looks fine. It is important to give copies of tie-in permits to the Assessors. Also, 12A Power Station Road is looking for additional capacity. Those properties already granted capacity via commission vote should be getting billed. **Motion made by Ms. Dam: Move that we determine a reasonable privilege fee for Phase III Sewer Improvement for the Town of Charlton Wastewater Treatment Facility, at this time, to be \$8,200 per equivalent dwelling unit sewage flow amount of 200 gallons per day per (EDU); that the total cost to the Town of the Project has not yet been recovered; that the single-family dwelling unit at 12A Power Station Road, Map 27A, Block B, Lot 4, has received a benefit or advantage from the Project beyond the general advantage to the Town; that we determine the actual benefit for such parcel to be as shown on the schedule attached to the Order Assessing Privilege Fee; that we hereby order said amount to be assessed as privilege fee for 12A Power Station Road, that we sign the Order Assessing Privilege Fee; and that**

we certify such privilege fees to the Board of Assessors to be committed to the Tax Collector. That amount is \$608.85. Motion seconded by Mr. Gagner; unanimous.

Motion made by Mr. Gagner: Move that we determine a reasonable privilege fee for Phase III Sewer Improvement for the Town of Charlton Wastewater Treatment Facility, at this time, to be \$8,200 per equivalent dwelling unit sewage flow amount of 200 gallons per day per (EDU); that the total cost to the Town of the Project has not yet been recovered; that the single-family dwelling unit at 9 J Hammond Road, Map 19, Block C, Lot 8, has received a benefit or advantage from the Project beyond the general advantage to the Town; that we determine the actual benefit for such parcel to be as shown on the schedule attached to the Order Assessing Privilege Fee; that we hereby order said amount to be assessed as privilege fee for 9 J Hammond Road, that we sign the Order Assessing Privilege Fee; and that we certify such privilege fees to the Board of Assessors to be committed to the Tax Collector. That amount is \$8,200.00. Motion seconded by Ms. Dam; unanimous.

Steve: We have violated copper two months in a row. Steve has talked to the EPA. We may have to have an engineering study done. He put together a list as to what I'm going to send to our overseer at the EPA. Normal level is 20 and ours is running at 21.6 and 22. Mr. Lemansky: our expert had told us that the EPA will be upping their limits. Steve: The information he has is our limit of 20 is going to be left at that limit. Steve will be talking with Mr. Koopman of the EPA. Ms. Dam: We have three consent orders that must be met. Steve: I talked to Frank Cavaleri and Janet. They suggested that it looks better for the permittee to come forward. Ms. Dam suggested that Steve put his notes into a good letter format and provide as much information as you can, including the fact that we are included in the stimulus package for our project.

Old Business: We don't have a list and there was discussion of a workshop. We need to have a workshop. Ms. Dam suggested it should take place prior to the next meeting. The meeting needs to be posted. The commission went over the list of goals and objectives regarding the administrator contained in the minutes of January 26. Steve: regarding the letter to homeowners. There was no direction given as to the timeframe. Mr. Lemansky: we need to be on solid ground as far as to how much capacity is going to be available when the moratorium is lifted. It was agreed to have a workshop but that there would be no votes taken at that workshop. Mr. Lemansky asked Steve to complete the remainder of the privilege fee paperwork for signature at the March 23 meeting. The

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commission inquired whether Steve had conducted a one year review of our staff employee. Steve indicated that he has completed the review and was asked to place copies in commissioner boxes. All of the commitments for additional capacity that we have made contained in minutes of meetings needed to be reviewed. The commission is looking for a complete list. Steve has put together a list of requests for water.

Discussion of the rates: Mr. Gagner wanted to see the rates remain where they are to give them a chance to work; sort meter list to see how many have been on meter since the new rates came into effect. The commission wants to track the impact of the new rates and how many customers have transferred to meter since the rates went into effect on July 1st.

Billing will be timely; readings first part of April; billing will be the third week of April.

Drafting of the town meeting article. Ms. Dam advised that the warrant is closing soon. We need to make sure we have a place hold on the warrant. Steve will work on this.

Commercial permitting: Steve is continuing to work on this.

Water betterments: Mr. Lemansky: we need to decide whether we are going to sub-contract this out. A list needs to be compiled if not already done.

Ms. Dam was concerned about the billing to the MTA; she thought it had been inaccurate since July 1, 2008 when the rates were changed; they are a meter customer; and she asked for the administrator to check on the billing abatement for the MTA and if so, have the abatements ready for the next meeting.

Motion to adjourn by Ms. Dam; seconded by Mr. Gagner; voted: unanimous.

Meeting adjourned at 9:24 p.m. The next scheduled meeting is March 23, 2009.

Respectfully submitted,

_____ John Elliott, Sr.	_____ Date	_____ Robert Lemansky	_____ Date
_____ Sandra Dam	_____ Date	_____ Paul Gagner	_____ Date
_____ Joseph Haebler	_____ Date		

Ms. Dam: "I stated that I was disappointed that the goals and objectives were not being met in a timely fashion."