

Meeting Minutes
Charlton Water and Sewer Commission
Date: **April 28, 2008**

Time: 7:05 p.m. Location: Town Hall

Attendees:

<u>Members</u>	<u>Present</u>	<u>Members</u>	<u>Present</u>
Cheryl McKissick	Y	James McIntire	Y
Sandra Dam	N	Paul Gagner	Y
John Elliott, Sr.	Y		

Recorded by Carol A. Goodspeed

The meeting was called to order at 7:05 p.m. by Ms. McKissick. The Board reviewed prior minutes, commitments and warrants. Mr. McIntire joined the meeting at 7:10 p.m., at which time Randy Bock from MacDonald's met with the Commission regarding ongoing problems with grease. "We have hired many engineers and consultants to determine what the problem is and how we can fix it. With me tonight are Tessa Bernstein, Phil Dixon, project coordinator; John Cusack, civil engineer; and Ed Gorman, our land use and environmental counsel are in attendance." The Board forwarded to them a letter dated April 3 asking for a plan to correct; and Mr. Bock thanked the commission for agreeing to meet with him and explain the measures they have taken. They remain committed to this endeavor. He gave a report as to what has been done in the past 12 months.

Last April a camera inspection was done to determine if there were any pollutants from cracks or tie-ins into the main line. That proved to be negative. Nothing else was there. We incorporated an aggressive pumping and maintenance schedule based on grease getting into the wet well; we pumped our two grease traps and the wet well ten times between last April and this April. Last summer we had Dixon install a second 5500 gallon grease trap which is in addition to the 3000 gallon trap when we rebuilt the plaza in the early 2000's. Our hope was that the redundant grease traps would provide more than enough capacity to handle the wastewater. Ms. Dam contacted him in February of 2008 as he was new to the job; she explained that the town was still having trouble with grease getting into the wet well. The grease trap and wet well were pumped again. Also in February we revised a baffle wall in the grease trap to a T system per the manufacturer's recommendation to provide extra containment. Unfortunately, several weeks later, Ms. Dam had to call him again to advise him that there were still issues onsite. March 5: a company called Environmental Testing & Research Labs came and took samples from the grease traps, a midstream sample; and one from the wet well to see if there were consistencies; an infrared test was done and what was in the grease trap was not the same as what was in the wet well; and determined that it might be an operation issue. A meeting was held with all of the tenants. Mike from the plant (indicated that when he opened the wet well, it was the best he had seen in a long time) and Mr. Bock was there. The plant manager, Jody St. George, came to the table and indicated he had looked at the sanitary line (about a month ago) and lot of grease was exiting through that line – it should not have been full of grease. Someone had been dumping grease in the wrong place; i.e., the mop sinks. He indicated that this has been ongoing for ten years, but noted every effort has been made to correct the problem by MacDonald's. The last time pumping was done showed an improvement with respect to ongoing problems at the site.

Mr. Bock met with every tenant and it was determined that people were dumping improper substances into the mop sinks. He advised that procedures have to be followed by everyone at the site. Chemical tests were done on the 24th (James Gagnon, a chemist) who took samples from the wet well and the grease traps to determine what was going on chemically. Mr. Bock believed they found the source, but had not received the results of the sample testing. Mr. St. George felt that as long as improper dumping is not done, things will improve. He suggested waiting a month or so; has it pumped one more time and then looks at the problem again. Mr. Elliott questioned why this has taken so long to correct; however, Mr. Bock advised he is fairly new to this problem. He encouraged the commission and plant personnel to come down any time they would like to view the operation. Mr. Bock left his business card.

Ms. McKissick requested the Weston & Sampson letter be signed; Ms. McKissick was given a copy of the letter in her packet; the three copies for signature are at the plant. Mr. Elliott advised that the Chairman should be one of the three people who need to sign at the plant. Motion had been passed at the last meeting to move

forward with the SRF funding. Ms. McKissick asked for a motion: Motion by Paul Gagner to send out the SRF documents; seconded by Mr. Elliott; unanimous.

7:30 p.m. The Commission met with Jean Vincent of the Charlton Housing Authority. She requested whether the sewer rates have been approved, to be effective July 1. Ms. McKissick advised that we have not heard from Alcott as yet. The Commission was in receipt of her letter of April 23rd indicating that the Authority has radium contamination in their well. Mr. Elliott explained Charlton was promised 100,000 gallons; and even though we will have that available, it cannot be offered to anyone right now. Mr. Elliott asked about treating the water; Jean said it would be expensive. They have been in non-compliance for a year. Ms. McKissick asked for a copy of the test results; Mr. Gagner indicated that if the DEP will extend the time for the CHA, that the Commission will know better where we are at with Southbridge. Mr. McIntire suggested that more frequent testing might be a good idea rather than only four tests per year as it might show lower readings; there may be natural things happening when the tests are done. Jean advised that radium is common in bedrock wells.

7:37 p.m. The Commission met with Attorney Mark Donohue representing Konover Development. Michelle Carlson, Project Manager for Konover. Letters were received by the Commission dated March 24 and April 2 making a request for water and sewer with respect to this project (shown on the drawing which is currently pending before the Planning Board. Land was rezoned a short time ago to a commercial business zone. The proposed development is Phase 1 of the development. A sister development on the south side of Route 20 which is not presently before the town. The development will be 525,000 square feet of retail space; number of businesses involved. The site design incorporates use of water and sewer. The site has the benefit of and the burden of the easement regarding the water tank (enumerated in the March 24 letter to the Commission) shown on the plan before the Commission. When that easement was granted to the town for the purposes of construction, there was a cross easement also outlined in their letter. Ms. McKissick: update received from the administrator that we will be forwarding a letter to the Planning Board regarding the current capacity of the existing parcels and plans for upgrading the treatment plant capacity to meet the discharge capacity with a copy to John Ostrosky at the DEP. Ms. Dam was unable to be at the meeting. Ms. McKissick explained that there are a lot of things that have to be looked at in addition to the moratorium currently in effect; and Mr. Gagner asked when construction would begin. Ms. Carlson figured that they would want to start construction next summer (2009) and would want to put people on line in 2010. They are looking for 34,000 gallons per day. Mr. Gagner explained that the Commission still has a lot of unknown things yet to be worked out before they can make any commitments to them. There are 46,000 gallons which are available to existing customers who choose to hook up. Upgrades will be started soon. Nothing has gone out to bid yet. We have been offered 100,000 gallons from Southbridge, but those are committed to people with contaminated wells.

Mr. McIntire explained that they might consider talking with the MTA who has 30,000 gallons of sewer annually and have been trying to get some of that back that they are not using; they are saving it; and that Konover might want to contact them as they are looking for 34,000 gallons of sewer. The MTA also has their own water supply. Michelle Carlson asked if it was ok to talk to the town's engineers. The Commission indicated that was ok. Weston & Sampson for water; Tighe & Bond for sewer. Mr. Gagner suggested speaking with Jim Finegan. Lowe's is one store that has committed to being one of the stores in the Konover project.

Attorney Donahue reiterated that the Commission should know the first of the year what capacity will be available. Ms. McKissick indicated the sewer capacity will be 450,000. Ms. Carlson advised that once the upgrades are underway and happen, would Konover be able to get a phased gallonage. One of the stores that has committed to operate here would be based on their historical usage of 25,000 gallons of usage per day. Attorney Donahue suggested that perhaps they could come back in two months or so and continue discussion about their project, and that we need to address their letter of March 24th regarding easements.

Arnold Burlingame of 23 Center Depot had spoken with Michelle Carlson (he has not paid a betterment). He would like to be hooked up to water and sewer at the same time. Ms. McKissick asked him if he has frontage and he explained he would have to tie in through the back of his land through one of the Konover stores. The by-law states they have to have frontage. He gets his water tested all the time because of the MTA nearby. Mr. McIntire suggested he send a letter to the Commission. Mr. McIntire suggested he submit his request in writing to the Commission.

Larry McKissick II of Charlton Welding at 11 Griffin Road. He has concerns about an easement through the sewer line. The next door neighbor at 9 Griffin Road owns the parcel of land (approximately 10 feet wide and comes to a point at approximately 12 feet across a right-of-way that we have been using to transport trucks over. Back in the year 2000 we had put a sewer line from Route 20 up to Charlton Welding – we had a verbal agreement with the previous owner to run that sewer line through that property. About a week ago, the owner of

9 Griffin Road has indicated a plan to dig up in the area he owns, dig the sewer line up and have it capped off. The sewer line crosses 5 or 6 feet of the 9 Griffin Road property. Mr. McIntire asked whether Mr. McKissick had talked to Mr. Iuliano and why he wants to hurt Charlton Welding and shut them off. Mr. Elliott explained this is the Town of Charlton line (an 8" main to the top of the hill) and that was the permit that the McKissicks got from the Water/Sewer Commission and a permanent permit was never obtained). Mr. Elliott advised that Mr. McKissick's attorney might consider it eminent domain; and that they have been put on notice not to dig. Mr. McIntire suggested a letter be sent to Mr. Iuliano advising he cannot just dig up the line and that a permit is required. Ms. McKissick mentioned that the easement should be filed with our office. The administrator's suggestion was that the homeowner provide a documented easement with a drawing that shows the connection to the Commission with a maintenance clause showing who is responsible for the repair and maintenance if required. The Department Assistant suggested searching the Registry of Deeds website for documents filed in this regard. Mr. Gagner inquired as to whether a letter should be sent; but Ms. McKissick indicated that we cannot send a letter out until the Commission knows for certain who the owner of the easement is. The Commission does not know what Mr. Iuliano's intentions are. Mr. McIntire had no issue with having a letter sent just to advise him not to do any digging without a permit. Mr. Elliott felt this was a legal issue.

Ms. McKissick: Do we want to go forward with the commercial permitting program this evening? It was determined that it not be discussed without Ms. Dam present.

Mr. Elliott made a motion that the next Commission meeting be held on May 5, 2008 at 7; seconded by Mr. McIntire; discussion: Mr. McIntire mentioned that new members to the Commission must be sworn in prior to participating in votes at this meeting; Mr. McIntire advised that Ms. McKissick must be sworn in again for her new term; unanimous. Ms. McKissick advised that there are a lot of things going on at the plant for the Department Assistant and that the Commission needs to keep informed since there is no administrator currently; vote was unanimous.

The Commission elected to take up other items at the next meeting.

Mr. Elliott asked about the used file cabinets. The Department Assistant gave a quick report about used file cabinets for storage and quotes received. She indicated that based on the Ms. McKissick's recent suggestion that they be locking cabinets, that she would obtain new quotes and have them available for the next meeting.

Public records law: Ms. McKissick advised that any sort of email other than things related to the agenda is a violation of the law; and advised the Commission that she will communicate on the telephone. She also advised the Commission based on the recent seminar she attended that you cannot just delete emails anymore. There was discussion about the letter received from the District Attorney's Office which included violations by Ms. McKissick and Ms. Dam. Ms. McKissick advised that the Commission is under scrutiny now.

Ms. McKissick thanked him for his public service and wished him well. Mr. McIntire: it may be redundant – in my opinion, Ms. Dam did a wonder job. We had dozens of resumes come in; people who came and did not stay. Ms. Dam was the one stable part of the Commission. She knew answers to many questions for which we did not have answers. She did a marvelous job – for the record. Mr. Gagner indicated that he did not agree with all of what Mr. McIntire said.

Motion was made by Mr. McIntire to adjourn; seconded by Mr. Elliott; unanimous.

Meeting adjourned at 8:36 p.m. The next meeting is scheduled for May 5, 2008 at 7:00 p.m.

Respectfully submitted,

_____	_____	_____	_____
Cheryl McKissick	Date	John Elliott, Sr.	Date
_____	_____	_____	_____
Sandra Dam	Date	Paul Gagner	Date
_____	_____		
James McIntire	Date		