

Meeting Minutes
Charlton Water and Sewer Commission
Date: November 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. | Y | Joseph Haebler | Y |
| Gabriel Berthiaume | Y | Paul Gagner | Y |
| Robert Lemansky | Y | | |

Recording of minutes by Carol Goodspeed, Department Assistant

Meeting was called to order by Mr. Elliott at 6:00 p.m.

The commission met with Keith Arsenault, Town Treasurer. He had two topics of discussion. The comprehensive water supply study here in Charlton – the original loan was issued in 2004. It ran its two-year cycle and then the loan closed out. The second half of the loan has run its course too – and the trust will be closing that out shortly. I wanted to make sure that the commission was aware of this and that they have no further use for this project loan. Mr. Lemansky: Keith – I believe the original amount was \$500,000.00 and a little over \$300,000.00 had been expended. Before we close it out, we should do a little research in terms of whether we need to do any reports before we close it out. Jack Hamm I think said December 8th was when the loan was to be closed. Keith: If you decide at some future date to study and look for another source, you will have to go back to town meeting again. Mr. Lemansky: Maybe we could use these funds for an engineering study if needed or any additional studies needed regarding Southbridge. Keith: the second issue: I would like the commission's support for refunding the USDA debt. For the past several years, the commission has appropriated additional payment towards the principal from the betterment account. We have an opportunity to refinance at a much lower rate (estimated 2.5%) in February when we issue the highway facility and landfill bonds. The USDA charges 4.5% interest. We can reduce the term of the USDA loan by more than five years and reduce interest paid by more than \$160,000.00. We can refinance this loan. There is a need for the commission to continue to appropriate funds from the betterment account. Mr. Lemansky inquired where we are with the betterment account. Joan Walker's printout as of September 30 indicated \$537,000. The expectation for this year is \$390,000, of which \$375,000 will be used specifically to reduce the debt. The figure becomes less and less each year. As the receipts come in, the betterments are paid against the debt, and we appropriate the additional \$90,000 approved at town meeting, we should have a balance of \$465,000 at the end of this fiscal year. There will continue to be betterment payments going forward. The privilege fees (\$299,659) will go towards construction costs at the plant. Keith has a proposed schedule from the Trust of 20 years for these privilege fees to be paid off. We will be able to reduce the terms of the USDA loan by more than five years and reduce interest paid by more than \$160,000. We should collect privilege fees of \$440,000 by the end of this year. The USDA is the only loan that the town has that we can pay off early.

Mr. Lemansky: at the end of this fiscal year, we will be finishing our loan for construction and putting it into a loan and making payments for the next 20 years. Are we able to move monies from one fund to another? If we know we have income coming in and monies are being invested, can we do this? Keith: it might be possible to move monies into our trust fund; we might gain about 50 basis points. Keith will research and advise us later. Keith: Do you need a motion – I need to approach the Board of Selectmen in order to do borrowing? **Mr. Lemansky: I make a motion that the Water and Sewer Commission support Mr. Arsenault's proposal of attempting to re-finance our loan such that the interest will go from 4-1/2% to 2-1/2% at the same time realizing that the payments are going to be adjusted; and that Mr. Arsenault has told us that we can do this; seconded by Mr. Gagner; unanimous.**

Mr. Arsenault: the American Recovery Act has provided Federal funding to pay down about 10% of the principal. Instead of 2.5 million dollars, the obligation will be 2.3 million dollars—like a grant. Mr. Lemansky: In dealing with Jack Hamm from the DEP: the original water project started in 1999 and was for \$3.5M and we have gone over that and he said we could go up to \$650,000 (approved by the DEP) for the overage of the original project costs. In April of 2004, the town appropriated \$500,000 to be raised to pay for the intermunicipal connection. If we go over \$600,000 and the town appropriates another \$500,000 as far as what we could be spending; and now the \$500,000 has become part of the \$650,000. Keith: there was a meeting in 2004 which authorized \$500,000 for the connection; amendment to include an additional \$30,000 for engineering on North Main Street. Prior to that, there was a town meeting vote for \$150,000 for just water to finish off the Route 20 project. There were some outstanding Roads invoices; the \$30,000 was ignored by the DEP and the Trust. No action has been taken on that authorization. Mr. Lemansky: By Mr. Hamm saying we were approved for \$650,000 loan, it would be incorporated and would be done at a low percentage. Meeting concluded with Keith at 6:23 p.m.

Jody St. George of Woodard & Curran gave his report for the month of October. The treatment performed well in October and incurred no permit parameter violations. We are preparing for the upgrade construction to move things along as our summer permit ends on October 31. Some of our equipment will be taken off line and new equipment will take their place. The real challenge is to keep the plant operating until such time as the new equipment is on line, operable and all associated training is completed. With respect to D&C Construction, items completed and/or are in progress include the installation of a new headwall and paved swale, forming and pouring of RBC base, forming of the two RBC's, forming of the MAU base and Ferric Chloride tank base. Demolitions are taking place in and around the plant; electrical is being done also. Plant staff is helping out when and where applicable. Grounds maintenance at the plant and pump stations is ongoing. He indicated that he had a gentleman coming tomorrow to handle repairs at #7 pump station on Burlingame Road, and Jody expects that this station will be running and back to normal by the end of that day. This month marked the installation of second culvert under the road at the stream crossing next to the Muggett Hill Road pump station. You will recall that this station had flooded and the culvert could not handle the volume of water. After an impact study was completed, the commission asked for assistance of Gerry at the Highway Department to bring a second culvert addition to fruition which he did. I assisted in the marking and locating of the two sewer lines (one gravity and one pressure) to assure no sewer infrastructure was compromised. I was on site during excavation around and under sewer lines in the event there was a breach. Fortunately there was no breach or incident of any kind.

There were five residential grinder pump alarms in October, three of which resulted in clogged pumps. The other calls were remedied by replacing the pumps with new ones. 12 Lakeview Drive has had numerous alarms resulting in clogged pumps. When we respond to an alarm we try to identify what has caused the failure. Cottony, fibrous material as is found in feminine hygiene products is usually the most common. When we respond, we assess the situation, remove the pump, clear the obstruction, reinstall the pump, evacuate the chamber, and run a couple of automatic cycles to confirm the correct operation of the system. The resident is then informed what the problem was, and how to remedy and prevent the problem from occurring again. The number of alarms has gone down substantially since the pumps were first in operation. There are approximately 160 residential grinder pumps in service and approximately 30 chambers in yards ready to have pumps hooked up. In past years, 20 calls per month was the average number of alarms. Mr. Lemansky: next time you give your report, could you find out whether any other towns do what you do as to repair or replacement; and whether after a period of 15 or 20 years, towns absent their responsibility from incurring costs. Jody agreed to do research. Jody commented it could be a substantial burden to a homeowner to replace parts and/or a pump. Discussion ensued as to benefits and detriments regarding solids and/or treated sewerage flowing into the plant. Jody: Solids don't come into play; bacteria does. If oxygen cannot be replenished, the situation becomes anaerobic and you get odors. You want an aerobic plant. Steve was asked to make phone calls to scrap metal

companies to determine whether any would be interested in purchasing for scrap two metal tanks that are being removed from the plant.

6:47 p.m. Heather from McClure Engineering and Robin Craver met with the commission. First, repairs to the water line: the valves at the line going up to the tank on Route 20 have been installed; the valve at Northside Road has been installed; the sample tap at the tank has been installed; the water line in front of City Power which was out to bid at one point and then withdrawn; i.e., Robin petitioned the state to have this be determined as an emergency and Whitewater will be doing the emergency work on the guardrails – lines were TVed on Friday – results were that the lines were only damaged in two locations that went down to the PRV and 576 linear feet up the hill. We saw some spots of scaling. Southbridge was on site and were in agreement; today the two and one-half sections of pipe were replaced; they had to take part of the guard rail out; they have plates over part of the trench right now because they have to repair a drain line which will be repaired tomorrow and it will be backfilled; and Deluca Fence will come back and install the guardrails. We determined that the water line is about 5'10" down and the length of the posts went down 6'. The PRV is getting a new lid; the curb line will be altered to redirect the water; new type of lid will sit over edge of the road; sewer crossing at City Power; originally we thought the water line was much deeper; water line was 6' down; the invert is 11'6" down; sewer manhole is about 25' off the water line. We used flowable fill. Now the testing in the line can continue easier – originally there is a silt trap approved for the tank; a letter was generated at that time and a copy has been provided to Southbridge; Southbridge has agreed and it has been passed on to the DEP. There are more complicated ways of doing this but they are more costly. I spoke with Aquastore and to their construction manager who oversees installation; and he gave me this solution (he called it the \$100.00 solution similar to the above) or the \$40,000.00 (which utilizes tie flex for mixing etc.).

Mr. Elliott: What about the Northside Road as built? Heather: we looked at the as built by Kleinfelder (the laterals in particular)—the way they constructed the as built is they located, using their ties, the location of their corporation stops; then they drew lines representing the water line in between those corporation stops; so in some cases you have a zigzag line. No one puts a water line in that way; how do you make it right? Mr. Elliott: What's the most economical fix? Heather: some of the ties are reasonably good (Whitewater has used these). So we either add a proposal; start the as built all over again; locate the ties and do the values, etc. You will end up with viable as built. Cost: \$10,820 which includes \$2,600 for the line locating company (2 days' time). Mr. Elliott: Would you feel more comfortable with the line locating company? Heather: We have experience with R.H. White which has similar equipment; and they were not so successful, so they had to use a line company. Mr. Berthiaume: percentage wise – what are we looking at to redo the whole line? Heather: We are looking at locating 10,890 linear feet of water line on Northside Road and upper Stafford Street. The purpose of doing these as built is that in the future others will have access to accurate information. Heather: I could not certify these. The scope of work could be completed within two weeks. (2-3 days of surveying and another week back in the office). Mr. Elliott: this should be back chargeable to Exxon-Mobil. Heather: If they are not willing to provide you with an acceptable as built, you have an argument to go back to them and say "this is not an acceptable as built". Mr. Elliott to Steve: Please send a letter to Exxon and recapitulate the status of the situation and tell them the cost could be \$11,000. This is something that can happen over the winter. We need to be honest with ourselves. Mr. Lemansky: Moira – Steve – did you talk to her today? Steve said no. Mr. Lemansky: I have not seen the plan but when you blow the plan up, there are zigzags in a line that should be a solid line with a few bends. What is absent is a solid line. For example, if I was to call Digsafe and said I was doing a job at 147 Northside Road, Digsafe would call Southbridge and Steve Blanchard would come and use an indicator to locate the water main. Heather: his indication is based on knowing where to look. Gabe: you set the transmitter on a valve or a hydrant. There's a problem: I don't know if we have enough valves or hydrants—once you get 300 feet or so, you can be off 3, 4 or 5 feet. Heather: we've had to use more than one company

and sometimes one company finds something the others do not. Maybe we need to call to Steve and to Southbridge and advise we want to know where this water line is. Someone still has to locate it.

Mr. Lemansky: our first call should be to Moira at Kleinfelder and find out from her if we can to see if they left out a layer when they put everything into the computer. Kleinfelder has made a statement that they made no mistakes and they are standing by their as builts. Bob Zee had told Mr. Lemansky that they are not going to do any more work. McClure Engineering will need to certify that the as builts are not adequate and that they need to be redone. We should get the money back from Exxon-Mobil. Mr. Lemansky: we make a motion to do this asap depending on what Steve can find out from Kleinfelder. We need to advise them that the current plan is no good and they need to fix it. The other issue is the 14 cards that Whitewater has produced citing improper measurements. In order for Charlton to get reimbursed from Exxon-Mobil, McClure Engineering will have to certify those cards in the field that Whitewater is correct and Kleinfelder is wrong. What is left once this as built is done from turning the water on relative to the phase program? Heather: other things in the letter are providing Southbridge and the DEP with documentation for the pressure testing and disinfection, the actual records, O&M manual which is partially done – there are a couple of things requested by Southbridge (owner manual regarding the tank). Mr. Lemansky: is there anything physical we need to do? Heather: the silt trap and the tank would have to be re-disinfected. We will have to have some information as to what is going to happen with the telemetry. This is supposed to be going out to bid by Southbridge this week. Southbridge has to accept the as builts for Route 20. Mr. Lemansky: Southbridge does not need to accept this. We need to get the water turned on. Kleinfelder could be squared off tomorrow morning. Paperwork to DEP – they do require some final inspections – it is up to their discretion. Mr. Lemansky: the package needs to be delivered. We need a date. Heather: there have already been discussions with Southbridge as many items came from them. The package is being prepared and is close to ready for submission. It should go as one complete package. I spoke with Mike Snedeker today indicating this. The as builts are still out there with Hoyle & Tanner. If you want McClure to go through the 14 cards, it would take about a half day. Where are we with the certifications from Steve Donovan? Steve: by Wednesday. **Mr. Lemansky made a motion that we go forward with McClure's proposal to take care of 80 hours at \$85.00 per hour; \$6,800 with a cost not to exceed. No second.** Heather: Instead of doing as builts, we can verify the ties. It allows us to handle all the little things that come up.

Mr. Haebler: If Kleinfelder does not do it, then we will have to do it. Heather: We will have to go back to a full proposal. The verification of the 14 ties can be put under the project management. Mr. Lemansky: Did Steve share with you the bid documents for Stafford Street, Northside Road, and Route 20 that are on file with the DEP? Heather: No. Mr. Lemansky: My view is that you spend no time on laterals. In researching DEP files, plans were found calling for 1" laterals and then the bid documents say PVC 3/4". The DEP approved that both on Route 20 and Northside Road--the written document at PVC 3/4". We will let Exxon-Mobil handle that issue with Southbridge. Heather: Southbridge is not looking at the lateral issue – they will just address issues when people go to connect. Mr. Lemansky: Under the Freedom of Information Act, we will give them the facts. Mr. Elliott: We need a budget figure from the engineer; how much lateral replacements will cost on Northside Road. Mr. Lemansky: If Exxon-Mobil replaces those laterals, then our department will have to replace the remainder of the laterals. We should give Exxon-Mobil what they need. Mr. Elliott: you started a motion. Mr. Lemansky: I have received good information. We have two proposals: one to do work on Northside Road at \$10,820; and then the other would be a management fee contract. Heather: We can put that under project management at an hourly rate. Mr. Berthiaume: slow it down a notch. Mr. Lemansky: other than the paper items, the only outside physical item is the silt stop. Go up to the Southbridge tank at Warren Miller's, take a

picture of what's there, order it, put it on our tank and connect the telephone lines to it. Mr. Cutler told us that not have telemetry would not stop us from turning the water on. We are only eight feet away. Telemetry is not an issue. My recommendation is to purchase a phone dialer, electricity is already there. We will have telemetry like theirs. Heather: that does not have to be done by November 15.

Mr. Lemansky: Should we have Heather call Moira at Kleinfelder? We can do that under the management contract. Mr. Elliott inquired about the \$10,000 contract. Heather: That is for North Main Street. Mr. Elliott: It was made, seconded and passed.

Heather: There was a short discussion about another contract for \$750.00 which is for the Harrington Hospital Title V review. **Motion made by Mr. Lemansky that we approve the contract (#054-P-790-A) for the review by McClure Engineering of the Harrington Hospital plan for 10 North Main Street to be paid by Harrington Hospital in an amount not to exceed \$750.00; seconded by Mr. Gagner; unanimous.** Mr. Elliott signed the contract.

Mr. Lemansky: Regarding Northside Road at \$10,800 or having an open contract with McClure at \$85.00 per hour, Heather asked we hold on the \$10,800 contract. **Mr. Lemansky made a motion that we go forward with proposal #054-P-780-A with McClure Engineering for professional services based on 80 hours of work at \$85.00 per hour; and if anything subsequent needs to be added to that, McClure Engineering will come back to the commission; seconded by Mr. Gagner; unanimous.** Hoyle and Tanner have received our comments (Route 20 from Oxford and Charlton City). Heather: they said they would look at the comments and they felt they did owe you some edits; but not all the work could be done under the original scope. I sent them an email. We could include Northside Road as an additional item. She will look at the 14 ties that are being disputed right now. Any additions could be done by a change order. Northside Road was added to the above proposal. Mr. Elliott initialed the change.

Access Road: Heather: initial contact has been made to Dan Prouty – we wanted to do a little more investigation before we put a proposal together. We did have evidence of an easement being drawn up. We have attempted to contact the original surveyor and we are waiting to hear back. Dan thought the easement had been recorded. Mr. Haebler: We need to make some plans to do it; we don't want to see a problem; someone could get stuck up there. Mr. Berthiaume agreed. Mr. Elliott thought we should address it. **Mr. Haebler made a motion that we get a proposal to see if either gravel or asphalt would work; seconded by Mr. Gagner.** Heather: You should do an engineering proposal – width of right-of-way – we will bring you a proposal; what the base should be; show the right-of-way and a gate. Mr. Lemansky: This Spring after heavy rain, my vehicle was able to go up the road with no problem; the base is relatively good. I would agree that the first 80 feet should be asphalted and then grindings beyond that. It should not hold turning on of the water. **Vote: Unanimous.**

The North Main Street bid opening will be Tuesday at 1:30 p.m. at the Town Hall. Currently there are about 26 people who are holding bids. Our town administrator, Robin Craver, will be in attendance at that time. They will be opened and read aloud.

Heather: we are still in negotiations with the town as relates to the North Main Street contract. They were not comfortable with the revised contract. It was just for general design services. We gave you a contract based on the bid that was put out. We received back a generic contract. Steve: We submitted the contract to our attorneys and they sent us back the contract that was to be used. The generic contract would have set us behind. They are going to go back and review that contract, and Steve will provide us with a final contract. Meeting with Heather concluded at 8 p.m.

Mr. Haebler made motions to approve the following warrants: AT&T: \$49.99; National Grid: \$4,546.16; Woodard & Curran: contract operations for November: \$43,852.41; Woodard & Curran – MTA sampling for the period ending 9/25/09: \$224.40; Carol Goodspeed: mileage reimbursement: \$41.80; Commonwealth of Massachusetts – Registry of Deeds filing fee: \$75.00; Total: \$48,789.76; D & C Construction Co., Inc.: construction services pay req. 3: \$85,880.00; Tighe & Bond, Inc.: technical services: \$38,180.80; Total: \$124,060.80; Kopelman & Paige #80329: general legal services for the period ending 9/30/09: \$152.00; water project assessments: \$95.00; costs: \$31.41: Total: \$278.41; BT Copy & Print Center: copies of plans at chairman’s request: \$12.00; and sets of as built drawings: \$162.00; Total: \$174.00; Lefort Electric Inc.: work at water tank to facilitate telephone communications: \$610.00; J. Taylor Paving Co.: \$1,150.00; JSL Asphalt, Inc.: \$1,277.63; Kaszowski Bros. Contracting: \$3,505.00; Linda M. Watson: \$401.28; Daniel P. Dowd: \$473.68; Total: \$6,807.59; seconded by Mr. Gagner; unanimous.

Mr. Haebler made a motion to approve the following warrants previously submitted to Joan Walker: commitment warrant for work service surcharges for the MTA 5E (\$36,957.39) and MTA 6W (\$18,924.36) for a total of \$55,881.75; senior citizen abatement warrants: metered customers: \$274.48; Title V customers: \$693.00; Total: \$693.00; grinder pump violation commitment warrant for 12 Lakeview Drive: \$220.00; and 2nd quarter sewer user bill commitment warrant in the amount of \$229,116.32; seconded by Mr. Gagner; unanimous.

Minutes of October 26th were reviewed. **Mr. Haebler made a motion to approve the minutes of October 26, 2009 with two corrections; seconded by Mr. Gagner; unanimous.**

8:10 p.m. Robin Craver, Administrator, requested an Executive Session for further discussion regarding Southbridge and also that Heather Blakely from McClure Engineering be part of that session.

Steve went through a portion of his report. 12” valve was installed on Northside Road Wednesday and Thursday; water main was 11-1/2’ deep; Mass Highway was there – we asked for elevation drawings. City Power – puncture issues in the water line are being addressed; a new cover is expected to arrive shortly. We are waiting on documents to be delivered regarding Roads Construction Company. Telephone line was installed by Lefort Electric on Friday and pulled through to the water tank itself. The culvert at Muggett Hill Road was completed – Steve had drafted a letter to the Highway Department commission for their review. **Mr. Haebler made a motion to send the Highway Department this letter addressed to Mr. Gerry Foskett, Highway Superintendent; seconded by Mr. Gagner; unanimous.**

North Main bids are being opened tomorrow in the Selectmen’s meeting room at 1:30 p.m. Sewer plant pay req #3 has been received and processed and is at the DEP. Harrington Hospital has been completed with the water main running the full length of the property; the hydrant has been installed. We spoke with Hoyle, Tanner & Associates about what’s going on on Northside Road. Based on decision tonight, I would suggest we ask them to finish those drawings with no further comments. We will have what we need. A second letter was sent to 16 Worcester Road regarding the grease trap asking one be installed by June 1st; and also that my May 1 they advise us who will do that work. We were contacted by owners of 13 J Hammond Road regarding an appeal dealing with a privilege fee. They will meet with the commission on November 23. There was a fire hydrant strike opposite CVS where the sign is for the Masonic Home; and Steve has asked for accident information.

Countryside Village Condo Trust. Mr. Lemansky asked Steve do a review of their account. Meter v. Title V. The subject came up 8 – 12 weeks ago. They have a Southbridge meter. Steve: There are 26 units; 8 have been sold. There are 9 accounts total; separate accounts for owned condominiums and one account for the Trust. Steve explained information he received from the Town Collector's office. DOR was contacted by them. She is not in favor of consolidating these. If a bill was not paid, a lien would be placed on all accounts. Steve suggested we get a signed letter from all owning properties stating that this is what they would like to do. Also, they could each install meters at each location. Mr. Lemansky: one entity and one meter; we service him with one bill; he completed a meter application. He owns the land and the buildings. The owners own the inside of the buildings. When someone submits an application to go from Title V to a meter, we act on it. There was discussion about property located at the intersection of Stafford Street and Center Depot Road. Mr. Haebler inquired of Steve the concerns of the Town Collector. Steve: The current owner pays the bills timely. If someone is there who does not pay the bill, all of the property will get liened. **Mr. Gagner made a motion to allow Countryside Village Condo Trust to go to metered billing and be granted an abatement retroactive to when he applied for a meter on March 6th, 2009; seconded by Mr. Haebler; unanimous.**

Steve: A reminder: the sewer loan (we are \$1,000,000 under expected budget); should there be other sewer related issues that the money can be applied for – it's important that the edits to the loan need to be in to DEP by January 15th. After January 15, whatever monies we applied for and were approved for would be at 2% instead of 0%.

8:28 p.m. Mr. Haebler made a motion to go into Executive Session under Massachusetts General Laws, Chapter 39, Section 23B.6: To consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body; and to come out of Executive Session to re-open our regular meeting; seconded by Mr. Lemansky; roll call vote: Mr. Haebler – I; Mr. Gagner – I; Mr. Lemansky – I; Mr. Elliott – I; and Mr. Berthiaume – I.

9:17 p.m. Motion was made by Mr. Haebler to adjourn the Executive Session and reconvene the regular meeting; seconded by Mr. Gagner; roll call vote: Mr. Elliott – I; Mr. Lemansky – I; Mr. Gagner – I; Mr. Haebler – I; and Mr. Berthiaume – I.

Steve advised the commission that both the Town Hall and the Library personnel will be out of their respective offices from December 21, 2009 until their return on January 4, 2010 except for some essential personnel with respect to payroll who will be putting in limited hours. Steve's hours were discussed with regard to the two-week period. Mr. Lemansky suggested that Steve work on Monday through Wednesday during each of these two weeks. The commission will need to determine what hours they wish him to work.

Motion was made by Mr. Gagner to adjourn the meeting; seconded by Mr. Berthiaume; unanimous.

The next meeting will be November 23, 2009 at 6:00 p.m. in the Selectmen's Meeting Room.

Meeting adjourned at 9:25 p.m.

Respectfully submitted,

John Elliott, Sr.

Date

Robert Lemansky

Date

Gabriel Berthiaume

Date

Paul Gagner

Date

Joseph Haebler

Date