



TOWN OF COHASSET

Sewer Commission

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Sewer Commission Meeting Agenda

DATE: Wednesday, December 9, 2009

TIME: 6:00 p.m.

PLACE: Basement Meeting Room, Town Hall

Meeting called to order @ 6:02 p.m

Attendance: John Beck, Sean Cunning, Dan Coughlin, Diane Hindley, Ken Henrique, John Oatley, Wayne Sawchuk

1. Office Business:

Date of next meeting: January 5, 2010 @ 6:00 p.m.

- Approval of minutes from October 27, 2009/postponed until next meeting; Beck hasn't had a chance to review them
- Drain layer bond requirement for 2010-Dan Coughlin has drafted a new drain layer license application and would like the input/approval from the board. After a lengthy discussion between the board, Dan Coughlin and Paul Laguelle a motion is made to maintain the performance bond requirement of \$20,000 in order to obtain a drain layer's license in the Town of Cohasset. The motion carries unanimously. There is further discussion on the liability insurance requirements which Sean Cunning will make recommendations to the board at the next meeting for approval. The only real change in this application is the addition of a signatory page verifying tax compliance certification.
- FY 2011 Budget-the budget is still being reviewed. More information is needed regarding new connections as a revenue source, possible scope changes in the Veolia contract and the Zenon/GE contract.
- FY 2009 Town Report-John Beck and Dan Coughlin will collaborate on this.
- 2010 Annual Town Meeting is **Saturday, March 27, 2010 @ 9:00 am**; Annual Town Election is **Saturday, April 10, 2010**. Deadline for submission of articles is **Monday, January 11, 2010** (set the interest rate for the betterment assessment in the LH district).
- 2010 Drain Layer License approval for Emanuello Excavating and Laminar Construction-have met all Sewer Commission requirements, please sign originals
- Vacation request: December 21, 22, 23, 24, 28 & 29. The office will re-open 12/30/2009.

2. Veolia Water:

- a. Monthly Operating Report for October: electronically mailed to the Commission, is now including run time hours
- b. WWTP: Noise / Odor / Light Complaints: none
- c. Collection System: working to satisfaction
- d. Maintenance Fund:
- e. Additional Veolia business:
There was a slight issue with communications between the plant and Zenon. Ken Henrique requests approval for Comcast to cut across driveway at the WWTP to install cable in order to have high speed internet. This installation will help facilitate more efficient communication for plant operation.

The inventory list for spare parts is near completion; Ken is hoping to have a report for the commission by the end of the year.

A draft scope change for the contract between the Town of Cohasset and Veolia is presented. It is broken down into categories: direct reimbursement, water quality monitoring, emergency bypass and the O&M portion of the recent upgrade. Coughlin also asks for approval of the Zenon contract, but with both contracts the members of the commission have not had the chance to review this draft, this discussion will be tabled until the next meeting. Wayne Sawchuck volunteers to be the “point person” to review the proposed changes in comparison with how the current contract reads. Karen Quigley would like to remind the board that the Town Manager is the chief procurement officer and as such should be included in any scope changes, etc. The board is happy to accommodate this request.

3. **Enterprise Fund Report:**

Income Statement / Balance Sheet –October:

4. **Connection Status October:**

- North – 273

26 Deep Run, first low pressure connection in the new Little Harbor district (flow to Hull)

- Central –577

16 Beach Street, first gravity connection in the new Little Harbor district

5. **Correspondence/Communications:**

- Town of Cohasset, Office of Town Clerk-Conflict of Interest Law-electronically mailed to Commission
- F.R. Mahony & Associates, Grinder News
- Town of Cohasset, Board of Health-Continued Use of Innovative/Alternative Septic Systems after Municipal Sewer is Available-The Board of Health understands that the DEP may approve the continued use of I/A systems as long as they are outside of the Little Harbor watershed and they meet current Title V regulations and that both the BoH and the Sewer Commission agree. There is still the issue of bacteria, if there are variances on the disposal system then they could still be contributing to the cause of bacteria build up. A list of current I/A systems in the LH district would be necessary to identify the system type and if they were permitted with variances. Further clarification is needed from the DEP as we have the Judgment to consider.
- Jan Smith, MCZM Coastal Habitat and Water Quality Manager- Commonwealth Capital Score-we now have an application and a score. The application was for \$86,000 in hopes to install more drainage infrastructure.

6. **Old Business:**

- Duncan McCormack, 107 Border Street-Franklin Electric/Little Giant warranty expiration

Attorney Ed Valente is here on behalf of Duncan McCormack. Atty. Valente submits a copy of the letter sent by Franklin Electric, the granted permanent sewer easement, the betterment calculation sheet and copy of the Veolia contract. He would like to know the town’s position on the ownership of the grinder pumps in question. It is his position that the town maintains the grinder pumps in perpetuity. John Beck explains that all of the units in the North and Central Cohasset system were supplied pumps that were required by the town. They came with a 10 year extended warranty. This warranty was extraordinary and was included in the purchase price. Atty. Valente points out that the town was granted permanent sewer easements from all of the residents and it never said anything about termination of this easement after 10 years. The whole purpose of the town was to ease the burden on the homeowner. The grinder pump info was given to the state to show that it was a necessary component to operate the system which allowed the town to include the price

of the pump in the betterment. The board intends to relinquish their easement rights for each of these properties. Atty. Valente points out that an easement cannot be released arbitrarily. It was never indicated to the homeowner that at some time in the future the ownership of the grinder pump would be relinquished to the homeowner. Karen Quigley adds that the commission has set aside a depreciation fund specifically named "Grinder Pumps" and further quotes the agreement between the town and Veolia outlining that the contractor (Veolia Water) will be responsible for the repair and maintenance of grinder pumps once the manufacturer's warranty has expired. Bill Griffin, Town Manager has been asked about this as well. Beck contends that the fund is not specifically allocated for grinder pumps. There is continued discussion about easement releases and that it may have to be agreeable to both parties in the same manner it was entered. The intention of the Sewer Commission is to put everyone on a level playing field and to try and establish fairness to all. It is agreed that all material be forwarded to Town Counsel for an opinion. In closing, Mr. McCormack compares the pump to the water meter, a necessary component to operate the system.

The Sewer Commission agrees that until a decision is reached, that any invoices from Rosano-Davis for service calls on the grinder pump units with expired warranties will be handled by the Sewer Commission.

7. **New Business:**

- 228 Jerusalem Road is requesting to get on our list for vacant lots in the LH district. They are asking for 5 edu's for future consideration-so noted, they will be added to the list as of this date.

8. **Coughlin Environmental Services:**

The flow meter issue on Jerusalem Road has been resolved. Coughlin supplies the board with drawings so they can better understand the readings. Although strong spikes in flow continue to be recorded they occur randomly. The unit has been replaced with a more upscale version that was installed with a series of calibrations. Spikes during the day are typical. Currently it measures in gpm but it is anticipated that readings will be done every 30 days. On any given we will know how much flow we have with 5% margin of error. 53,000 gpd has been the average over a twenty day period. It was anticipated at 57,600 gpd so the estimate wasn't too far off. There was concern that the Hingham station was getting a lot of unexplainable flow, the grinder pumps have a storage mechanism as well to take into consideration. It is too early to report this info; we need to have more accurate data for a number of 30 days cycles.

The breakdown of the shared construction cost of Gammons Road is discussed. Dan Coughlin is currently working with Glenn Pratt to negotiate compensation for debt service and water expended for flushing and forward flow tests of the sewer pipes. Coughlin will have final numbers at our next meeting.

9. **Abatement Requests:**

10. **Connection fees due:**

- 8 James Lane, Stephen Cleary: \$270,000 due on July 1, 2010.

- 55 South Main Street, George Roukounakis: 1 edu/\$6066.99 plus current ENR due on December 31, 2009
- 2 Smith Place, 2 Smith Place Realty Development, Inc.: \$285,000 due on July 1, 2010.

11. Open Discussion:

- Richard Henderson, Attorney for RAJ, LLC of 465 Jerusalem Road- Atty. Henderson is not able to attend this meeting but there is discussion of how the betterments will be allocated to these properties and what the final cost of sewer construction was.

- Paul Laugelle asks the question regarding the contract with Veolia overseeing the sewer service connections. Contract reads that all inspections are done by Veolia; Wayne responds that the new LH district is not in the current contract. The allocation of fees has not been satisfactorily disbursed. There are further questions about the necessity of Con Comm. review for each property, pressure testing, E-One start-ups, etc. The point is that the homeowner's money is being spent irresponsibly. Wayne suggests bringing in a few contractors to discuss their opinions. Right now inspections are required but they may lighten up as we move forward by photos being taken before a trench is backfilled. Anyone who has been licensed should be qualified to do the jobs. The board will have to stay flexible. If you fail the pressure test then there will be an additional test at the homeowner or contractors expense. If there is more than 1000 ft of pipe a separate test must be done. The whole process of the fees is they are coming out to do one test. The inspector will take less time for a 30 ft pipe vs. a 1000 ft so the money will be in the a general fund. Why is an inch and a quarter test take \$350, in some cases it may not be that much. Refers to Howard Gleason Road test took longer because there was additional test due to a leak. That should be the cost to the contractor, not the commission. We will invite the contractors to speak to their experience for feedback in February or so as we move forward with the project, to discuss their opinion on inspections etc.

John Beck makes a motion to go into executive session @ 8:56 p.m., the motion carries and Dan Coughlin is asked to stay.

Adjourn executive session at 9:15 pm. vote to go back into public meeting.

John Beck reviews the warrant and would like to bring it to the office the following day.

Adjourn meeting at 9:30.

****At the adjournment of the open public meeting the Sewer Commission will vote to go into Executive Session to discuss ongoing matters pertaining to current litigation.*