

Meeting Minutes
Charlton Water and Sewer Commission
Date: January 14, 2013

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
Robert Lemansky	Y	Paul Gagner	Y
Joseph Spiewak	Y		

Recording of minutes by Carol Goodspeed, Department Assistant

Meeting was called to order by Mr. Lemansky at 6:02 p.m. Mr. Lemansky: First order of business is warrants and commitments. Mr. Spiewak: I make a motion to approve the following warrants signed between meetings: National Grid: \$7,738.60; Carol A. Goodspeed: mileage reimbursement: \$44.88; total: \$7,783.48; E.J. Prescott, Inc.: purchase of meters: \$1,638.00; and connectors: \$143.04; total: \$1,781.04; Dewberry: water system modeling for the period ending November 30, 2012: \$2,025.00; Freitas Construction, Inc.: contractor's application for payment no. 2; final payment with respect to 4 Dresser Hill Road and 9 Burlingame Road waterline extension: \$20,144.38; Lefort Electric Inc.: change out grinder pump and controls at one property: \$560.00; McClure Engineering, Inc.: services through 11/30/12: preparation of construction budget summary; provided cost for pavement grinding and overlay: \$780.00; Woodard & Curran: labor; plant manager and one operator; parts from Grainger with respect to removal and replacement of the bag filter: \$992.41; Commitment warrant for second quarter sewer invoices: \$229,326.74; Commitment warrant with respect to MTA surcharges for the period October – December for 5E: \$77,110.16; and 6W: \$37,008.24; for a total of \$114,118.40; seconded by Mr. Haebler. Vote: Unanimous.

Mr. Spiewak: I make a motion to approve the following warrants: Ricoh USA, Inc.: rent from 1/19/13 – 2/18/13: \$142.27; AT&T: \$38.46; Town of Charlton (copy paper): \$23.99; Zee Medical Inc.: medical supplies: \$86.45; Carol A. Goodspeed (petty cash reimbursement): \$41.08; Woodard & Curran: contract operations for January 2013: \$42,253.00; total: \$42,498.80; McClure Engineering, Inc.: proposed water system expansion; attendance at meeting on 11/28/12 with Kleinfelder with respect to design support: \$596.25; McClure Engineering, Inc.: work performed through 11/30/12; supplemental information requested and provided to the Town of Southbridge DPW regarding activation of Charlton City: \$305.00; Woodard & Curran: force majeure: Hurricane Sandy – plant manager and operator: \$1,185.00; Woodard & Curran: pass through costs through 11/30/12 regarding the safety update; eye wash water being warmed: \$2,783.97; Woodard & Curran: MTA samplings for the period ending 11/30/12: \$326.70; Woodard & Curran: MTA samplings for the period ending 12/18/12: \$326.70; Bigelow Electrical Co., Inc.: generator technician – load bank testing done on N. Main Street pump Station: \$990.00; Town of Charlton Conservation Commission: Notice of Determination for 141 Muggett Hill Road: \$60.00; Charlton Gas & Market LLC: \$686.29; Abatement warrant: 25 Lakeview Drive: \$180.00 (house being demolished; should only be billed the account charge); Abatement warrant: 10 N. Main Street: \$364.45; seconded by Mr. Gagner. Vote: Unanimous.

Mr. Haebler: I make a motion to approve the minutes of December 17, 2012; seconded by Mr. Gagner. Vote: All in favor except for Mr. Spiewak who abstained.

6:15 p.m. Steve: We are billing the insurance company for hydrant damages at the bottom of Carpenter Hill Road and the intersection of Route 20. They are investigating as to who is responsible and who the driver was. The NOI with respect to the water lines has been posted and filed. I attended a meeting regarding water at the Bay Path School. I forwarded the notice to all of you. Steve explained that there are five roads involved: L Stevens Road; Old Worcester Road from North Main Street to Route 20; Old Muggett Hill Road; Muggett Hill Road; and Morton Station Road. Discussion: They don't have enough pressure to go to the street. They

discussed many options; and putting the pump station inside the school grounds. What they are going to do is put the pump station at the bottom of the hill with two pumps (at 225 g.p.m.). Exxon-Mobil is paying for this. This is just in the proposal stages at this time. The water line is proposed to come up Old Worcester Road near #161 and #171 and an old cattle crossing. The pressure line comes from the eastern end up towards the pump station on Main Street. I took pictures. There was discussion about filling the cattle crossing in; and running the water line down the road. The Conservation Commission has no issues with that. We don't know what the town historical group will feel about that. Mr. Elliott: Fill it in – water isn't supposed to go through it. I don't want water running through it, so fill it in. It is my cattle crossing.

Steve continued with his office report: Stafford Apartments: I called and asked about getting the DVD back. With the last billing, we sent notices to all customers regarding grinder pumps. We continue to check the message on our phone regarding grinder pump problems; and it is fine. Mr. Lemansky indicated he received a telephone call on Saturday morning from a sewer customer experiencing a grinder pump clog; they called the plant and received excellent service by plant personnel as to response time. Steve continued: North Main Street pump station has been smoking. It was determined that the cause was that there is stale fuel in the tank. We are looking into an additive to the fuel tank. Next, Notice of Determination will be addressed with the Conservation Commission regarding Muggett Hill on Wednesday evening from 6 p.m. – 10 p.m.

Discussion of the Woodard & Curran contract. CPI adjustment: increase of 1.7%; Monthly cost is going from \$39,088.50 to \$40,913.26. Graph on the back side. Mr. Lemansky: \$13,908; I see that on the back side of the CPI sheet. The \$13,908 is not part of the monthly amount. Flow and loads adjustment is based on the fact that we have agreed to process "x" amount of gallons over a six month period; that number was 225,000 as an average; they compute the amount of chemicals based on the volume they have and come up with the adjustment--\$15,613. Steve: We are moving man hours to places where they are needed. Some things take more time and need more attention than others. Mr. Lemansky: Are we adjusting man hours down? Mr. Elliott: We discussed with Jody using some of the annual cleaning for TVing with the new infiltration system. Mr. Lemansky to Steve: Talk to Jody about it – do 400' of line. Should we own a camera? We should make a motion on at least the inspection and cleaning—hold those aside from taking a vote. **Mr. Haebler: I make a motion that we adopt the new CPI figures based on the 1.7% increase but raise the monthly fee from \$39,088.50 to \$40,913.26; and have Steve sign it; seconded by Mr. Gagner.** Discussion: Mr. Spiewak: So this is this year's budget. We are in the current fiscal year. We just added \$15,613.00. Steve: We have money in this budget. **Vote: Unanimous. Mr. Haebler: I make a motion that we pay Woodard & Curran for the excess BOD and TSS loadings for the calendar year 2012, the amount of \$15,613.00; seconded by Mr. Gagner.** Discussion: Mr. Lemansky: These are numbers where you have to experience it; we did go over the amount which was \$15,000 a year. Why are they getting CPI on cost reimbursements? Steve: This is the practice they have been using. We were using the February adjustments; their year ran from the first part of May through April of the following year. Mr. Lemansky: Monthly charge; within those charges chemicals are included; it looks like double billing regarding the CPI bills. Steve: They are billing us for past usage. Mr. Lemansky: Not only are we paying for the extra flow; we are paying for the extra effort included in those flows. Steve: Jody apologized for not being here. He is ill. If we have further questions, he'd be happy to be at our meeting on February 11th. Mr. Lemansky: Let's pass on this. Mr. Haebler withdrew his motion and Mr. Gagner withdrew his second. The fourth document is regarding the year round CoMag operation. They argue that the CPI isn't germane. Help is in areas like the phosphorus. It pays to do the CoMag year round. Motion was tabled. **Mr. Haebler: I make a motion that we approve the bill from Woodard & Curran for the year round CoMag operation and the extra charges based on the fact that we are running it for 12 months a year; the total being \$13,908.29 for the calendar year 2012; seconded by Mr. Gagner.** Discussion: Steve: Four loads every six weeks are taken out. Mr. Haebler: We are paying 10% also on the transporting and tipping. Maybe we should be paying for the chemicals and their work. Mr. Elliott: Aren't we paying for the chemicals? Steve: We're using extra chemicals with CoMag. Under the contract, we're not paying for the sludge. Mr. Haebler: Originally they were going to run from May to October. Mr. Lemansky: Maybe we need to look at the flows.

Mr. Elliott: We need a little more information. Mr. Haebler: We need to have Jody or Frank give some explanation. Jody can be here on February 11th. Mr. Haebler: I'd like to table the motion then.

Steve to Mr. Lemansky: We had some conversation about Francesco's Bakery which is moving from Ted's Variety Store to 14 Power Station Road. That was a restaurant; but now it is going to be just a bakery. I discussed with the owner the requirements for a grease trap. They did have some grease traps under the sink when it was a restaurant. I talked to Jody. It is not a restaurant; it is just a bakery. Tomorrow plant personnel will open four manholes (2 on Stafford Street; and 2 on Power Station Road). If they are clean, Jody has no problem with things moving forward. Mr. Haebler: We are talking about a 1,000 gallon tank which they had to put in at 16 Worcester Road. Mr. Elliott: I think you have to stay with the same rules with respect to food service. When you have a food service business, you should have a grease trap. Mr. Gagner: There should be consistency. Mr. Lemansky: Whatever oils coming into the property are leaving with the customers. Steve read from our by-laws in accordance with Title V of the Sanitary Code. There is no seating there. People will come in and purchase bakery items and leave. Mr. Lemansky: I can't see adding \$3,000 to the costs. I'm waiting for Jody's opinion. Mr. Gagner: Mr. Meskus may add something to it. Mr. Elliott: We don't want to hold him up from doing his remodeling.

7:10 p.m. Chris McClure of McClure Engineering: I sent a letter to the commission regarding taking ownership of the sewer line on Carpenter Hill Road and finalizing the project. Did you have a chance to look at the request letters? Mr. Lemansky: It is my understanding that when an applicant comes before us to request permission to put sewer lines in our streets; we have an inspector view the area. Once they are in the ground, they are ours. We have control of the sewer lines in the street. We have specific directions on the process. I don't understand why we need to do a bill of sale. Chris: Your by-laws may have an exception. **Mr. Elliott: I make a motion that we accept the Carpenter Hill sewer line extension to Karl Storz; seconded by Mr. Haebler.** Discussion: Mr. Lemansky: Is there still time left on warranties on any of the equipment? Chris: The connection was done on November 17, 2011; and the curb-to-curb was done. **Vote: Unanimous.** Chris: Part of the approval was an interim term of one year--monitor water; then reduce to a quarterly test (a year's worth of monitoring). Steve: Jody concurs. He has had no violations. We have had no trouble with their testing. At any point in time this commission has the right to reinstitute samplings. **Mr. Haebler: I make a motion that we agree to the request for wastewater sampling from Karl Storz from a monthly basis to a quarterly basis with the caveat that we have the right to go in and sample at any time; seconded by Mr. Elliott. Vote: Unanimous.** Steve will send a letter confirming same. Chris presented data logger packets to the commission for their review. If we look at Vine Street, typically the run times for the pumps are similar; look at the table: on the first day pump #2 ran a little longer than pump #1; but there might be an erroneous reading. Stevens Park Road: look at the graph and the table. We had Super Storm Sandy that occurred on the 28th and 29th; and on Stevens Park Road, you can see a direct correlation from the expected precipitation to pump run times. Mr. Lemansky: Weather wise, what happened in the 3rd week in December? Some of the pump stations show a real hit. Chris: On the 18th and 19th, we had an inch of rain. Mr. Spiewak: It would indicate that there is leakage in some of the pumps; or the pumps aren't shutting off. Chris: Other items: Look at Glen Echo Shore Drive pump run time; #10 (pump 1 vs. pump 2—pump 1 is running 1-1/2 times as much as pump 2). The data logger will assist you in determining when service might be required on a pump. Mr. Spiewak: Can we ask for a quarterly report from Jody? Steve: Last year in the budget we approved money for Burlingame. We anticipated the Burlingame pumps would be in trouble. Muggett Hill: We are waiting for a determination from the Conservation Commission. Then we will put a two-week notification in the Central Register. Mr. Lemansky: Do PRV valves allow water to flow in the opposite direction? Chris: No. Charlton City is only on hold until we have a determination as to when we can do flushing activities. Steve has the request as to acceptability of funds. Chris: I would like to initiate the request to activate to the DEP for that area. Charlton's activation plan was submitted to the Town of Southbridge for their approval. Mr. Lemansky requested Chris to move forward with drafting the letter in accordance with the motion that follows. We don't have permission from the DEP to activate the line. Mr. Lemansky to Chris: Let's get this done in Charlton City. **I will entertain a motion that we have Mr. McClure go forward with drafting the letter to forward to the administrator for any comments; and then the administrator can return it and once we have a final copy, we'll have it at the plant for signatures; so moved by Mr. Gagner; seconded by**

Mr. Elliott. Discussion: Mr. Haebler: So we are all in favor of this letter going out. Mr. Lemansky: Yes – the activation of Charlton City. **Vote: Unanimous.**

Old Business: Emergency water connection process. Steve: modifying of the application. Mr. Lemansky: Have the application for the water connection process available for the next meeting. Steve will email revisions to the commissioners. Steve is working on putting the old truck and the metal base back out to bid. Steve: I'll have something in everyone's hands before next meeting.

New business: Snow emergency town policy—adopt or not for water/sewer. Mr. Lemansky: I sent my suggestion in for that. Did you pass that on? Steve: No, you asked me to hold it so I did. Mr. Lemansky: The town policy as it stands right now is based on information collected by the administrator through the police and fire departments. They make the call. I suggest that we follow the same rule with the caveat that the Water and Sewer Commission at any time can change the policy to where the decision is made by the Water and Sewer Commission being that we have a separate building and separate circumstances. We can leave it just the way it is; but also leave the option open for the commission to change it if they want to change it. Steve: I think that was stated in one of Robin's emails. It doesn't mean you have to accept it; but you can accept it or you can change it. Mr. Haebler: I think it stands to reason. Mr. Spiewak: I believe we have two options. First, as a board we have to choose to accept the town's emergency policy. Second, we need to define who would declare that emergency, or we could follow the town hall. Mr. Lemansky: I wrote to Steve that we follow the town hall with the sentence after that at any time the commission can change it. Mr. Spiewak: Through another vote of the commission? Mr. Lemansky: Yes. We will follow the town hall; but, at anytime the commission can change it if we choose to do so. It's not in the handbook. People go by what's in the handbook. Mr. Haebler: We adopt this and then later on if we want to change it we can do it with a vote of the board. Mr. Lemansky: Then we have to go through the town policy that we had agreed to at some prior time. I'm saying we include in the town policy that the Water and Sewer Commission at anytime can change the policy for the water and sewer facility. It's all about buildings. Mr. Gagner: It should be stated clearly. Mr. Elliott: Steve is the only one we are talking about. Wouldn't it be best if he calls the chairman? Mr. Lemansky: We are going to follow the policy of the town; and if the commission chooses at any time that they are not happy with the town policy; and they want to go by their own policy, they can by a majority vote of the commission.

Mr. Spiewak: The policy basically states that we have a snow policy. The town policy doesn't dictate the closing of any building other than the town hall which is the call of the town administrator. The library trustees make the call for the library. We can adopt the town hall policy and then choose to follow the town hall so when that building is closed, we follow the town hall policy; or we make a determination as to who is going to close our building. Mr. Lemansky: The library follows the town hall. We voted a year and a half ago that we would follow the town policy. Now they are checking with us to see what we want to do. They are going to include the Water and Sewer Commission in the policy that's in place. I think it's a good idea to put the Water and Sewer Commission in there, but that the policy is subject to change by a majority vote of the commission.

Mr. Spiewak: I saw an email that there was a question about including one of the positions in the by-law as well that was supposed to go up before the Selectmen. There is a request from the town administrator to include Carol's position in the policy. Mr. Lemansky: She's in the union. Mr. Spiewak: But it was not correctly stated in the contract. Mr. Lemansky: What is already happening is that Carol and Steve follow the lead of the town hall when there's a snow situation. They get a phone call or an email. Later on, the commission may want to have a different rule. They should be calling it out sooner so we are not endangering our workers. Mr. Elliott: I think Robin is saying that Carol has to be included with the rest of the union. Mr. Lemansky: The union has asked that Carol be included in the snow policy. We do have a snow policy. It is in the minutes of the meeting. Mr. Haebler: This is referring to assistants. It does not appear to be looking at department heads. Mr. Lemansky: I understood the snow policy is the closing of the building. If the building isn't open, department heads aren't coming in. That would close our facility except for Jody and his staff who are on call 24/7. It is for people who are union and non-union who are employed at our department. The snow policy should be that we follow the

town hall and have a caveat in there that we reserve the right to change it in the future. If the union rep is asking for a vote to have Carol included, they want this set in stone. I don't have a problem with that. I'd like to create an option whether it is for this commission board or the next commission board so they don't have to go through the union or the town in order to change it. Mr. Spiewak: I believe if we vote to include Carol's position in that particular policy, you will have to go before the union for the change. Mr. Lemansky: Not if it is through a vote of the commission. **Mr. Haebler: I make a motion that we adopt the town snow policy as printed; seconded by Mr. Spiewak. Vote: Mr. Haebler: I; Mr. Spiewak: I. All those opposed?** Discussion: Mr. Haebler referenced the article he had that will go before the Board of Selectmen. Mr. Lemansky: This is a worker specific request here. Why don't we just have a general policy for the people who work at the plant. If the town hall is closed, then our office will be closed. Mr. Elliott: Steve should use his own discretion as to whether he is able to make it to work safely. Mr. Spiewak: The town policy as written does not include Carol. Mr. Lemansky: I'm talking about our facility should we hire an additional person. If the town hall is closed, our building is closed which includes our personnel. Mr. Haebler: Would we want to change the water/sewer assistant to water/sewer personnel? Mr. Lemansky: Personnel would protect Steve. **Mr. Haebler: I would like to amend my motion that we accept the policy with water/sewer personnel; seconded by Mr. Spiewak. Motion by Mr. Haebler restated: I make a motion that we adopt the town snow policy as printed using the term water/sewer personnel instead of water/sewer assistant; seconded by Mr. Spiewak. Vote: All in favor. Mr. Spiewak; I; Mr. Lemansky; Mr. Gagner: opposed; Mr. Elliott abstained.** Motion failed. Mr. Gagner: If the original motion meant to include only Carol, then I would think we have no business interfering with the union stuff; and I would vote in your favor of accepting the first thing. I think we have control over Steve's hours, not Carol's hours. Mr. Lemansky: This isn't about control. It is about policy. If we had control, we would have been in on the union negotiations. Mr. Gagner: Carol has to abide with what the union does. Steve is a different story. Mr. Lemansky: The library has the same options we do, a separate policy with the snow.

Mr. Spiewak: Just to be clear. We are saying that the inclusion of Carol's position in the motion that was defeated simply meant that it would be spelled out in the town policy--that that position wasn't included. We still then have to vote to adopt the town policy. We still control the opening or closing of the building if we so choose or we say to Steve -- follow what the town hall does -- we're good. What's our concern again? We don't have the right to at a future date decide we don't want to follow the town policy? Mr. Lemansky: I want to be specific as to both of our employees, not the whole facility. I'm just saying we can change it if we don't want to follow the town policy. Robin specifically said it is by the building. Mr. Spiewak: Mr. Chair, you are continuing to cross two issues. The decision on the facility is one thing. The snow policy is another. We could adopt the snow policy and say the decision to close or open is up to the commission. The library is the library choice. The town hall is the town administrator. We could say that the sewer and water building is up to the Water and Sewer Commission. We can do what we want. That doesn't change or amend the snow policy itself. Mr. Lemansky: I'm championing that the Water and Sewer Commission adopts the town snow policy subject to the ability to change it at any time. The result would be a changed policy for the commission. Mr. Spiewak: It is the feeling of the commission that we will follow whatever the town hall does until such time as we decide to do something different? Mr. Lemansky: The clerical contract is being held up because of the snow policy? Carol: Yes. Mr. Lemansky: Steve, make sure we get a copy of the new contract. Steve: Yes. It has not been inked yet. Mr. Spiewak: And we've taken no action to clarify that tonight. Adopting the policy did not include Carol. That question that Robin sent to us was not a question of adopting a policy, but including Carol's position in the handbook. Mr. Haebler: No we said Water and Sewer Assistant. Carol's included in that. Mr. Spiewak: That request was specifically to add Carol's position to the union statement in the snow policy. Mr. Lemansky: We have nothing to do with the union negotiations. Mr. Spiewak: That's ok. That's great. We are not talking about the union negotiations. We're talking about what was requested by the town administrator; and unless I'm mistaken, we took no action on it. Feel free to move on. Mr. Lemansky: ...because that action would have been unfair to Steve. Steve would have been under a whole set of different rules.

8:17 p.m. The budget: Mr. Spiewak: Draft of the Water and Sewer Commission Annual Report. I think if it is ok with the commission, I would like to work with Steve to put it together to bring it to the next meeting. We should include a lot of statistics about sewer and water; capacity; and plant information. The report is due by March 9.

Steve: New gas card policy: The town had subscribed to a gas card policy that allowed credit cards with use of a pin number. We at the plant do not pay for gas. Woodard & Curran does. Originally the plan did not include diesel; now it does. The plan they had they wanted to maintain. Further, there were discounts coming back to the town. They are still a ways away from the petroleum resource at the highway barn. There is a claim back for the use of diesel. My proposal was to assign a gas card to Jody and his two people so when they are out buying diesel, we get the discount back from the road tax as a discount for non-road use. Mr. Elliott: There is bookkeeping involved in this. We pay for diesel. Mr. Gagner: Does anyone in town deliver off road (the pink stuff)? Steve: We use Charlton Oil. They come and top off the stations.

Steve: During the last meeting I had in Robin's presence, I asked her what the situation was: we had bills that were generated because of work that Kleinfelder had requested. What I thought had happened was that Exxon had agreed to pay these bills. When I mentioned that she did not recall that. What she suggested is to write up the bills and send them to ExxonMobil. Mr. Lemansky: At the DEP meeting, I recall that was proposed and agreed upon. I think Chris will attest to that. Steve: I will try to get the bills from McClure. Mr. Lemansky: Anything as far as aiding and assisting Kleinfelder to do their work, those were supposed to be just run through. Steve: The ExxonMobil money is the only money we have available for this thing that was not planned, because the engineering budget is extremely lean for water.

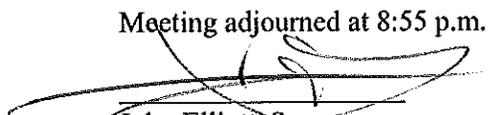
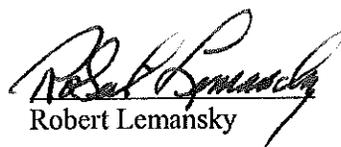
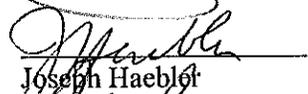
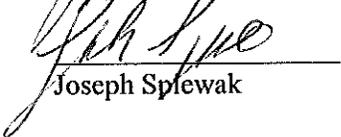
8:25 p.m. Mr. Lemansky: I would like to move into Executive Session for three quick items and we would only return back to session to adjourn for the evening. Steve: Suggested motion: to move that the Board enter into Executive Session under M.G.L. Chapter 30A, Section 21, Article 3 and Article 6: #3 - to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; and #6 - to consider the purchase, exchange, lease, or value of real estate, if the Chair declares that an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

Mr. Gagner: Before we go off camera should we give the next meeting dates? Steve: January 28th and February 11th. Mr. Spiewak to Mr. Haebler: What do you think we adopted? Mr. Haebler: the snow policy. Mr. Spiewak: Do you think the snow policy answered Robin's question? Yes, we close the building. Mr. Spiewak: The union asked to include Carol's position. Mr. Haebler: I don't have that. Mr. Spiewak: Today, her position is not included in that language; and the union asked to include it; but we did not adopt it. Mr. Haebler: I don't remember seeing that.

8:30 p.m. Mr. Haebler: I make a motion that we go into Executive Session under Articles 3 and 6 of M.G.L. Chapter 30A, Section 21; seconded by Mr. Elliott. Roll call vote: Mr. Haebler: I; Mr. Gagner: I; Mr. Lemansky: I, Mr. Spiewak: I; Mr. Elliott I.

8:55 p.m. Mr. Haebler: I make a motion that we come out of Executive Session for the purpose of adjournment and announce the next meeting; seconded by Mr. Gagner. The next meeting of the Water and Sewer Commission will be held on Monday, January 28th at 4:30 p.m. at the sewer treatment plant. Vote: Unanimous.

Meeting adjourned at 8:55 p.m.

	_____		<u>2/11/13</u>
John Elliott, Sr	Date	Robert Lemansky	Date
	<u>2-11-13</u>	_____	_____
Joseph Haebler	Date	Paul Gagner	Date
	<u>2-11-13</u>		
Joseph Spiewak	Date		