



TOWN OF MEDWAY  
WATER & SEWER COMMISSION  
MEDWAY, MASSACHUSETTS

Commissioners

Cranston Rogers, Chair  
Robert Wilson, Member  
Peter Gluckler, Member

## Meeting Minutes

January 23, 2012 – 6:30pm  
DPS – Tom Holder's Office  
155 Village Street, Medway MA

Present: Chan Rogers, Robert Wilson, DPS Director Thomas Holder, and Executive Assistant Sarah Pawluczonek. Guests were Paul Yorkis (Local Developer), Doug Downing (CRPCD Commissioner), and Paul Desimone (CRPCD Commissioner)

**The meeting was called to order at 6:30pm by a motion from Robert Wilson.**

**Chan Rogers seconded.**

**Motion approved, unanimous vote, 2-0.**

### Capital Improvement Fee Discussion

Paul Yorkis explained that as the owner of the planned 16 unit development (8 units put in so far), he is responsible for putting in the water main and the stubs for each dwelling. Then once the building permit is applied for it is recommended that the water and sewer service be installed under the footing of the building. The installation of these services then triggers the start of the Capital Improvement Fee. He explained that he had spoken with Tom Holder and Sarah Pawluczonek to see if it was possible to consider assessing the fee not at the time when the connection is made, but rather when the occupancy permit is granted, or within 1 year of the connection, whichever comes first. He said he realizes that it may not seem like a lot of money, but that in the current economy, everything adds up. He is asking not just for himself but for all new construction developers.

Chan Rogers asked how many hookup fees there are.

Tom Holder answered that the initiation of the account setup for any new property is at the time the meter is installed. All services applicable, water, sewer, trash and the capital improvement fee are implemented. If there is usage, then water and sewer is billed like any other account, and trash can be abated for vacancy. The benefit is felt by the dwelling regardless of occupancy; they have fire suppression and access to the Town water system. "My position is that when the benefit exists, the fee should be charged."

Robert Wilson brought up another example of how even if a person goes away for half the year they still have to be charged the Capital Fee.

Paul Yorkis explained that of the 8 units he has built and connected; only 2 are occupied. It could take any number of years to finish and sell them. He reiterated that he hoped we would consider assessing the fee on new construction only, when occupancy permit is granted or with one year of the service install, whichever comes first. In order to get proper inspections, he has to have a meter in there.

Robert Wilson asked that he put this request formally in writing to the Board to consider.

Chan Rogers agreed that it would be best and then their third board member, Peter Gluckler, would have a chance to weigh in.

Paul Yorkis agreed to draft something, asking that Tom Holder look it over for him before it is submitted.

### Charles River Pollution Control District Commissioners

Tom Holder introduced the two Medway Commissioners' from the Charles River Pollution Control District (CRPCD), Doug Downing and Paul Desimone, whom he had been able to arrange to come today for a meet and greet and to update us on the financing schedule for their upcoming capital improvement project.

Doug Downing started off by introducing himself and offering to answer any questions today. He explained that there is a lot of pressure being placed on them by the DEP to abate infiltration in the sewer system.

Topics of Discussion:

1. NPDES – working to come up with sustainable and attainable goals
2. Plant Phases – Phase A is the acceptance and processing of sludge, and phase B is the capping of the landfill.
3. Capacity – no plans to increase capacity in the near future. The goal is to get communities to reduce Inflow and Infiltration (I&I) in order to free up their existing capacity.
4. Chicken Brook Interceptor – major I&I here, has been inspected, and recommendations made for manhole repairs and pipe lining.
5. Sewer Capital Fee – Fund future I&I resolutions.
6. Capacity Spreadsheet.
7. Haley & Ward Estimate – I&I study at Chicken Brook.
8. Septic Systems – impact on the future, recharging aquifers.
9. Compromised Service Pipes and Sump Pumping – another hard to control cause of I&I.
10. IDDE – house to house detection with smoke and dye testing.
11. Increase in Assessment for Capital Program – No increase until FY14 due to bond changes, lower rate than anticipated, and plan to slowly increase sewer rates to build up retained earnings.
12. Other CRPCD Customers – some buy sewer capacity from Medway or Millis, others dispose of septic here.
13. Invitation for a tour of the CRPCD Facility.
14. GIS – working with member communities to create sewer layers for GIS mapping.

### Abatement – 16 Autumn Rd

Sarah Pawluczzonek explained the abatement for 16 Autumn Rd. They are seeking a sewer abatement because they have a private well and had to hand water a new lawn this summer, causing their sewer charges to go up drastically. They feel we should be able to take the usage from the summer and abate it. The problem is that there is no clear way to calculate how much of the usage over the summer went in to the sewer vs. how much went outside for watering. It is not something we can fairly estimate.

Tom Holder agreed that it is impossible to quantify.

**Robert Wilson made a motion to deny the abatement.**

**Chan Rogers seconded.**

**Motion approved, unanimous vote, 2-0.**

### Capital Improvement Fee Discussion (continued)

Chan Rogers asked for fee clarification on the matter regarding the Capital Improvement Fee.

Tom Holder explained that Paul Yorkis' argument is that if the house is not occupied, then it should not pay it. Tom stated he felt that regardless of whether it is occupied, that developer is benefited by the fire protection and access to water infrastructure.

Robert Wilson stated that for his 6 vacant properties that would be \$600 a year in capital fees.

Tom Holder said that unfortunately Paul Yorkis' suggestion is very difficult to track and will likely lead to missed fee assessments.

Chan Rogers said he felt that the developer has some control in this process by waiting to get a meter installed until they absolutely have to, to avoid the capital fee for a while.

#### Abatement – 16 Temple St

Sarah Pawluczonek explained the abatement for 16 Temple St. The customer was seeking a sewer abatement due to a pool repair which caused them a complete pool fill up. They provided a repair bill and the gallonage of the pool. Sewer abatement calculated out to be \$79.23.

**Robert Wilson made a motion to approve the sewer abatement in the amount of \$79.23.**

**Chan Rogers seconded.**

**Motion approved, unanimous vote, 2-0.**

#### Approve Past Meeting Minutes

Robert Wilson recommended that we wait to approve the minutes at the next meeting.

Chan agreed.

#### Director's Report

Tom Holder requested that the Board vote on a change to the Drain layer's Fee as the licenses are renewed annually and we have entered in to a new calendar year. Our rate consultants had taken a look at the labor, materials, and equipment which go into this fee and come up with an estimate just under \$100 in cost. Currently it is \$250 annually or \$50 per job, and both require the same processing so we want to have just an annual fee of \$100 from now on.

**Robert Wilson made a motion to lower the Drain layer's License Fee to \$100.**

**Chan Rogers seconded.**

**Motion approved, unanimous vote, 2-0.**

Tom Holder went over a letter he received from 11 Merrill Lane claiming that her sprinkler was damaged during the sewer pipe installation in 2009. He plans to evaluate the claim and offer a recommendation at a future meeting. He handed out copies of the letters to the Board.

Robert Wilson asked how the AMR project was going.

Tom Holder answered that we were still limping through due to some quality of work issues with the vendor however we have a lot of retainage still. Some meters were not installed when they said they were, a lot of MIU's were placed inside the house.

Chan Rogers asked if they were awarded the contract as the low bidder.

Tom Holder replied that yes the lowest bidder that met the specifications. We are happy with the equipment, not the install service.

Tom Holder discussed the ownership, operation, and maintenance of water, sewer, and drain utilities in private ways saying that at a recent meeting with the Planning Board it was discussed what we would do in the future as far as maintenance on private ways. Currently we maintain the water and sewer on some private ways.

Robert Wilson asked if he was recommending that we do not take ownership of the water and sewer in a private way.

Tom Holder replied yes, and so they would need to form a homeowners association to include maintenance themselves. We can talk at greater length about this at a later date.

Other Business:

Next meeting will be held on Monday, February 27, 2012 at 6:30pm in Tom's Office.

All agreed.

**At 8:18pm Robert Wilson made a motion to adjourn the meeting.**

**Chan Rogers seconded.**

**Motion approved, unanimous vote, 2-0.**

**Respectfully submitted,**

**Sarah Pawluczonek  
Executive Assistant  
Department of Public Services**