

Town of Hingham



Hingham Sewer Commission Meeting Minutes

July 12, 2016

Call to order:

The meeting was called to order at 7:05pm in the Central South Meeting Room, Hingham Town Hall.

Commissioners:

Robert Higgins, Chairman; and Kirk Shilts

Department Personnel & Staff:

Randy Sylvester, DPW Superintendent; Stephen Dempsey, Sewer Supervisor; and Liz Welch, DPW Office Administrator; and Kerry Ryan, Town Counsel.

Agenda:

The agenda for the meeting was established as amended.

Opening Remarks:

Mr. Higgins reported that Mr. Tom Patch presented a letter to the Commission stating that he was going to record and video the meeting.

Approval of Minutes:

The Commission reviewed the draft minutes of the May 3, 2016 meeting.

Dr. Shilts suggested changing "Weston & Sampson Update" to "Consultant Engineer Update".

Dr. Shilts made a Motion to approve the minutes the May 3, 2016 meeting as amended; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

The Commission reviewed the draft minutes of the June 7, 2016 meeting.

Dr. Shilts made a Motion to approve the minutes the June 7, 2016 meeting as amended; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

South Hingham Study Group, Sewer Infrastructure Report:

The Commission discussed its joint meeting with the South Hingham Study Group on June 7th.

Mr. Higgins reviewed a draft letter for formal submission to the South Hingham Study Group (Group) regarding the Group's draft report, Sewer Infrastructure section. Dr. Shilts stated he and Chairman Higgins were troubled with the content of the Group's wastewater assessments. Mr. Higgins said the draft letter adequately addresses the Commission's concerns and puts the Group in a position to obtain expertise. Mr. Higgins said he does not believe it is appropriate for this Group to essentially re-write the town's Comprehensive Wastewater Master Plan concerning the South Hingham region.

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Dr. Shilts made a Motion to submit to the South Hingham Study group a letter dated July 12, 2016, under Chairman Higgins' signature; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

Dr. Shilts offered to deliver the letter to the South Hingham Study Group tonight after this meeting.

Scheduling:

The next meeting of the Commission will be Tuesday, September 6, 2016 at 7:00pm.

2016 Sewer Use Charge Assessment:

Dr. Shilts stated that where the Commission is charged with determining all sewer-related finances and after reviewing the sewer use charge information presented at the prior meeting, he would like to make a formal motion to accept the 2016 total Sewer Assessment of \$1,263,823.98.

Dr. Shilts made a Motion to accept the 2016 Sewer Use Charge Assessment of \$1,263,823.98; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

Sewer Betterment Abatement Request, 9 Ship Street:

Mr. Higgins stated the Commission received a sewer betterment abatement request from the property owner of 9 Ship Street.

Mr. Sylvester responded to the claims contained within the request and questions raised by the Commission. He confirmed that the seven (7) properties claimed to be excluded from the Ship & Cottage Sewer extension project were already connected to sewer system. He said the claim that some residences were mistakenly assessed as single-family unit rather than a two-family unit was also not true. He reported the Sewer Commission had sent certified letters to the subject homeowners explaining that they would be considered as two (2) "units" and their property assessed two (2) betterments; one betterment for each residential unit on the property. The letter also explained that if the resident believed that the current assessor's records listing the property as a two-family residence was not accurate, and should be assessed as a single family residence, the property owner should contact the town's Building Commissioner to arrange for an inspection. The Building Commissioner subsequently conducted inspections of the questioned property. After the inspection, it was determined that the home at 32-34 Ship Street had one unit and is considered a single-family dwelling. The home at 8-10 Ship Street had two units and therefore considered a two-family dwelling.

Mr. Sylvester explained that a gravity sewer main was not feasible in all areas of Ship Street and Cottage Street and therefore grinder pumps would be necessary for some of the residences. He said the Commission determined that the cost of grinder pumps for those effected residences could be included within the cost of the sewer project. A Grinder Pump Policy describing this decision was adopted on April 8, 2014.

Dr. Shilts stated the 64-page betterment abatement request was quite extensive and he appreciates the detail and documentation it contains. He stated that the questions the applicant raised were answered and he would not support the abatement request.

Atty. Kerry Ryan explained there should be no public discussion about a homeowner's right to seek an abatement, as it should be considered on the merits of the application itself. He explained that in MGL Chapter 80, Section 5, there is not a public procedure on how the Board should handle these requests. He said it could be

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done in executive session as the Board of Assessors practices or in public session with deliberation limited to the Commission only. Mr. Ryan reported he had checked with the Attorney General's office and they agreed with that opinion.

Dr. Shilts made a Motion to not accept the Sewer Betterment Abatement Request for 9 Ship Street; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

Sewer Commission Officer Elections:

Chairman Higgins opened the floor for nominations for Commission chairman for the upcoming term.

Dr. Shilts made a Motion to elect Robert Higgins for the position of Chairman for the 2016/17 fiscal year; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

MWRA Representative Position:

Mr. Higgins reported that you can have alternating MWRA Representatives since he and Dr. Shilts may not always be available. Dr. Shilts said that Mr. Higgins should be the primary named representative as he has a lot on his plate at this point in time.

Dr. Shilts made a Motion to elect Robert Higgins for the position of Hingham's MWRA Representative; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

Customer Reimbursements:

Mr. Dempsey explained that two customers have recently had plumbing issues caused by tree roots in the Town layout. The customers have asked for reimbursement for incurred bills for corrective services.

Dr. Shilts made a Motion to approve for payment the invoice submitted by the homeowner of 3 Bayberry Road for sewer maintenance services in the amount of \$250.00; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

Dr. Shilts made a Motion to approve for payment the invoice submitted by the homeowner of 95 Downer Avenue for sewer maintenance services in the amount of \$610.34; the Motion was seconded by Mr. Higgins and passed by unanimous vote.

Weir River Sewer District Phase-I Grinder Pump Discussion:

Mr. Dempsey gave a brief history explaining sewer expansion involving Hull Street, Rockland Street, Canterbury Street, Bonnie Brier Circle, Meadow Road, Cliff Road, Chestnut road and Place and Oak Road partially funded by the state and completed in 1998. He said there were 74 grinder pump stations installed and owned/maintained by the Town under a ten year contract. The Town continued to provide maintenance until 2012. At that time, ownership of the equipment and its maintenance responsibility was turned over to the customers. A letter was sent out on October 17, 2011 that notified the effected customers that this was going to occur. A meeting was also held on March 6, 2012 for residents to ask questions and express concerns.

Mr. Dempsey said that since September 2012, it has been his understanding that sewer employees are not required to respond to WRSD Phase-I grinder pump calls after hours unless there is a member of the crew already on-call after hours. He said when a service call currently comes in after hours, he, on his own time, attempts to walk the customers through the troubleshooting protocol over the phone. After all options have been exhausted, he then informs the resident that they have to call a private contractor for repair. He said in the vast majority of instances, his

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phone support was all a customer required to fix their problem. He added that on weekends and holidays private contractors are often unavailable to provide assistance. Mr. Dempsey asked about revisiting the policy about after-hour service calls.

Mr. Sylvester reiterated Sewer Commission's policy that the Sewer Department continues to help residents during normal business hours with WRSD Phase-I grinder pump related issues, if possible. Town assistance has become more of an expectation as residents continue to call the town during off business hours for their service problems. He said the Commission should consider crafting a new policy that gives sewer customers more options.

The Commission discussed a range of options including simply providing effected customers with a list of qualified vendors and being completely removed from grinder pump repairs, requiring customers to have a grinder pump service contract, and charging customers a fee for after-hour service calls. The consensus was to develop an optional program for sewer employees to respond to after-hour service calls. Mr. Sylvester stated that we need to not only help the ratepayer but protect our budget. Dr. Shilts asked Mr. Dempsey to provide documentation about service call frequencies, times, outcomes, potential costs and outside vendor comparison costs and put this on the Commission's October agenda for further discussion.

Supervisor's Report:

Mr. Dempsey reported that with the new fiscal year, he has scheduled the pumping station wet wells to be cleaned next week. The work is expected to take one to two days and cost approximately \$3,500 a day.

The clearing of the Downer Avenue easement is scheduled for July and cost \$4,200. He said the Fee Pond easement is the next major easement in need of clearing.

The meeting adjourned at 8:03pm.

Respectfully submitted,

Liz Welch,
DPW Office Administrator