

Board of Public Works
01/21/22 – Minutes
Conference Room A

DPW Board Members: Chair – Tom Nephew, Vice Chair - Pat Harrington, George Clark, Jose Mercado (late); DPW Director – Ken Kalinowski, DPW Business Manager – Paul Brinkman; Brian Lewis (11 Birch Drive).

Call to Order at 5:30 p.m.

Chairman Tom Nephew called the meeting to order at 5:31 p.m., and announced that it was being recorded and broadcast. The video recording can be seen at: <https://pepperell.vod.castus.tv/vod/?video=7966766b-cc6d-4253-ae99-60903aad027e&nav=programs%2FBoard%20of%20Public%20Works&volume=.65>

Acceptance of Meeting Minutes:

- **December 16, 2021 (Regular)**

*Pat Harrington made a motion to approve the December 16, 2021 Regular minutes as submitted. George Clark seconded the motion. **The motion passed unanimously.***

Abatements:

- **11 Birch Drive (Lewis).** Paul Brinkman noted that this request was typical of what the proposed abatement policy would hopefully address, i.e., excessive lawn watering with no deduct meter in place. Paul noted that a consumption history was not available for this account as it is a new house, and also that the request was made after the customary 30-day period. Mr. Lewis provided a letter to the Board explaining his situation. It was explained that they had only moved into the property in August, and that the system was already set up and was running about 3 hours/day. There was a brief discussion about the consumption for this account. *Pat Harrington made a motion to abate account #6503 in the amount of \$519.18 for sewer. George Clark seconded the motion. **The motion passed unanimously.***

Water / Sewer

At this point, the Chair requested that the Deduct Meter discussion be deferred and to move on to the next item on the agenda.

- **PFAS Task Force.** Ken updated the Board on the status of the PFAS Task Force. This group was recommended as a result of the PFAS forum held last spring. It will be comprised of several citizens at large, as well as Paul Brinkman and a BPW representative (Pat Harrington). Ken stated that the most likely deliverable would be a recommendation from the Task Force to the Selectboard on a course of action, with the potential for a warrant article to fund the desired solution(s). Paul Brinkman and Pat Harrington stated that Steve Themelis (Board of Health) had expressed interest in joining the Task Force and that his name had been put forth to Selectboard for appointment. Paul Brinkman stated he envisioned a 10-month time frame for the Task Force to complete its' work.

There was a discussion about EPA revising their PFAS regulations, as well as the issue of testing of private wells. Tom Nephew inquired about contacting our neighboring communities and Paul Brinkman stated that he had been in conversations with them; however, most were in a much different position with regards to PFAS levels and their response actions and timelines.

- **Dunstable Water System O&M.** Ken Kalinowski informed the Board that the Pepperell Water Dept. would resume operations and maintenance (O&M) on the Dunstable water system, effective February 10th. This would be a short-term contract that would likely lead to a longer-term IMA later this year. Paul Brinkman stated that he had conducted multiple discussions with the water staff to ensure that they were comfortable with the level of effort required to perform the stated tasks. He also clarified that the base O&M services were to be billed at a flat monthly fee, with any emergency responses to be billed as time & materials.

At this point, Joe Mercado arrived and the Chairman requested to return to the Deduct Meter and Abatement Policy discussion items.

- **Deduct Meters / Policy.** Ken reminded the Board of the discussion at the December meeting where the Board discussed the draft policy and took it under advisement. Ken Kalinowski informed the Board that the revisions requested at that meeting had been made, and that neither he nor Paul Brinkman had received any further comments from the members. Tom Nephew inquired about the intent of item #7 with specific regards to a new homeowner moving into a home with a pre-existing deduct meter. Paul Brinkman stated that the '1-year' clause in item #7 was for the original request/purchase only. Tom Nephew also asked about the period of bill adjustment referred to in item #9 and requested that it be re-worded. There was a discussion about how to treat deduct meters with regards to abatements, with Tom Nephew noting that the issue really belongs in the abatement policy and not the deduct meter policy. The Board was comfortable in approving the deduct meter policy with the caveats that the abatement language (#10) be removed and the billing language (#9) be revised as discussed. Ken Kalinowski was instructed to revise the deduct meter policy and send it to the Board for final review of content before presenting for signatures at the February meeting. *Pat Harrington moved to approve the deduct policy with items #9 and #10 amended as discussed. George Clark seconded the motion. The motion passed unanimously.*
- **Abatement Policy.** Tom Nephew stated that he was not comfortable with item #2 categorically precluding abatements related to deduct meters. He also felt that removing the word "Water" from item #2 in Water Abatements would cover all aspects of negligent ownership. Ken suggested that the policy could be reconfigured as "Administrative Water and Sewer Abatements", and striking item #2 precluding abatements related to deduct meters. Pat Harrington suggested that there be a clause requiring proof of a petitioner attempting to recoup costs via an insurance claim. Ken Kalinowski said he would revise the policy for reconsideration.
- **ARPA Funding.** Ken Kalinowski updated the Board with regards to the final rule regarding the town's use of ARPA funding. Basically, the limitations for use of the funding had been all but eliminated, and the town has already received dozens of requests for use of the funds. Ken Kalinowski provided the Board with a list of the most recent requests submitted to the Selectboard, which included six DPW initiatives. Pat Harrington noted that PFAS was not included and Paul Brinkman informed him

that the requests had to be associated with a definitive project and we don't have a definitive PFAS solution to put forth at this time.

Misc DPW

- **Stormwater Billing.** Ken Kalinowski introduced John Holbrook, the Pepperell GIS Analyst. John gave a PowerPoint presentation about the current rate structure with an emphasis on the inequities in regards to condos, multi-unit properties, and commercial / industrial, with an emphasis on the relationship to the Assessors database. He then outlined some of the desired parameters of the actual billing process. Tom Nephew stated that while he appreciated the presentation, it may be premature before the Board has a conceptual discussion about the various approaches and options for adjusting the billing assessments. It was determined to table the discussion until the Board has a chance to have a more preliminary discussion. Ken stated that he wanted the Board to know that the staff has been working to address the inequities, and that he hoped to illustrate that the situation was much more complex than one might envision.
- **FY23 Budget.** Ken Kalinowski informed the Board that the FY23 budget message was posted online and that the staff hoped to have the DPW budgets submitted to the Town Administrator in draft form by the end of the month. The DPW staff would be meeting with the Fin Comm later in the spring and that the staff would present the budgets to the Board, likely at the February meeting.
- **Misc Updates:**
 - **DPW Program Administrator.** Ken Kalinowski told the Board that the recruitment to replace the Highway Dept admin was going well and should be finalized shortly.
 - **Snow Plow.** Ken Kalinowski noted that the recent storms had spawned a number of broken mailbox complaints. The towns current policy is to reimburse up to \$10 for a direct strike from a plow. Ken said that he had spoken to the Town Administrator and was recommending upping the limit to \$20. *Pat Harrington moved to increase the mailbox damage reimbursement policy from \$10 to \$20. Joe Mercado seconded the motion. The motion passed 3-1 with George Clark voting in opposition.*
 - **Street Opening Permits.** Ken Kalinowski stated that the town had never assessed a fee for a road opening permit, and with the pending implementation on online permitting, he was suggesting that it may be time to assess a fee to cover the administrative costs incurred to process and inspect these projects. Ken and Paul Brinkman suggested a tiered \$25/\$50 fee for minor and major projects. The Board felt that these fees may be too low and suggested that the staff research this further and report back to the Board.
 - **Transfer Station / bag tag fees.** Ken Kalinowski stated that while overall Transfer Station revenue was stable, operating costs were increasing for items such as trash disposal. Ken suggested that the bag tag fees be raised from \$2.60 to \$3. *Pat Harrington moved to increase the Transfer Station be allowed to increase the bag tag fee to \$15 per sheet or \$3.00 each, effective January 25th. Joe Mercado seconded the motion. The motion passed unanimously.*

Review & Approve Documents:

- **Commitments.**

The December commitments were signed by the Board.

Commissioners Comments:

- Pat Harrington inquired about the possibility of adding a part-time employee at the Transfer Station. Ken Kalinowski said that he and Paul Brinkman were reviewing the financials, including the impact of pending DEP restrictions on mattresses and textiles that could create a loss of revenue. The Board reiterated that it was very supportive about getting this position created and approved.

Next Meeting Dates:

- February 17, 2022 (5:30 p.m.)

Adjournment:

*Pat Harrington made a motion to adjourn. Joe Mercado seconded the motion. **The motion passed unanimously.***

The meeting was adjourned at 7:33 p.m.

Respectfully submitted,
Kenneth Kalinowski, PE
Director of Public Works