

## **BOARD OF WATER/SEWER COMMISSIONERS**

**166 John Scott Blvd., Norton, MA**

**Tuesday, April 2, 2013**

**6:30pm Meeting Called to Order.** Commissioners Steve Wiseman, Luke Grant and Diane McElligott present. Also present Duane Knapp, Rose Melito, Fran Yanuskiewicz, Joe Cove and Danielle Sicard.

**Campanelli Agreement:** Town Clerk, Danielle Sicard was present to notarize the Commissioner's signatures on the agreement.

**Minutes:** March 4, 2013 Executive Session and March 19, 2013 Regular and Executive Session were read, approved and signed as submitted.

**Chairman's Business:** Commissioner Wiseman asked the Members for their top five (out of 15) Superintendent candidates. After some discussion the Board agreed on the following five. Candidates 1,4,5,7 and 15. Commissioner Wiseman stated he would bring this information to the review committee as the top five to further interview.

**Special Counsel:** Commissioner Grant spoke to Selectmen at their last meeting and emphasized the need for special counsel. He stated going forward the W/S Commission would like to continue to use Attorney Cove's expertise for project specific issues including current issues such as IMA negotiations, Wheaton College negotiations etc. Commissioner Grant said he interpreted the Selectmen's response as "our request seems reasonable". Attorney Cove suggested that the Board follow up and get the Selectmen's response of approval/support in writing. Commissioner Wiseman said he would follow up.

**Mansfield Bill:** The Board reviewed and approved the letter to be submitted with the bill.

**Campanelli - Disbursement:** Mrs. Melito requested authority to commit the \$52,800.00 payment as an FY-13 commitment. The Board and Attorney Cove agreed. Mrs. Melito asked about the current \$154,032.65 commitment and whether or not the Board was abating it. Commissioner McElligott said she wanted further discussion on the disbursements with Mark Abrahams and Joe Cove at the next meeting before voting any abatements. The Board agreed. The Board directed Mrs. Melito to get copies of all correspondence to Attorney Cove.

### **Weston & Sampson:**

**IMA:** Foxboro has new Counsel that's questioning 42-48 items in the current draft. Norton still has three -four issues that need to be finalized. Transfer language, Wheaton, Flow issue and clarity on APN and Pilot fees. Commissioner McElligott said she's done fighting about Wheaton, Norton needs 150,000g/p/d from the expansion. Next IMA meeting April 8, 2013.

**Treatment Plant:** The Pilot Study was submitted to the DEP and a meeting with the Conservation Agent is scheduled for next week to discuss general permitting and Article 97.

Fran questioned Weston & Sampson's unpaid invoices for Article 97 work already performed. Mr. Knapp stated that the Town Manager who is the procurement officer hasn't signed the PO and said the additional work needs an amendment to the contract. Mr. Knapp said the Town Manager won't approve any further engineering on design until an RFP has been done. Fran informed the Board that he would have provided an amendment sooner had he been made aware of the issue with the Town Manager. He also informed the Board of the current fiscal year budget stating the amount allocated for general engineering expenses is nearly depleted. Invoicing for assistance with the Campanelli issue will definitely consume the balance. After some discussion the Board directed Fran to invoice Campanelli work separate from general engineering and approved those invoices to be paid against the sewer budget's legal line item.

**Superintendent Updates:** Mr. Knapp informed the Board that the home owner of 29 Walker Street submitted a bill for \$85.00, that she said she had to pay a plumber, to fix her toilet after the work on Walker Street was performed. According to the homeowner her toilets wouldn't stop running. Mr. Knapp said he denied her request for reimbursement. All residents were notified of the interruption of service and there were no other problems or complaints. The Board supported Mr. Knapp's decision.

Mr. Knapp reported to Commissioner Grant that the sewer manhole covers on Reservoir Street were not repaired by request of the Highway Superintendent. Mr. Silver did not want the risers installed just prior to the winter season because of possible issues with plows. Commissioner Grant directed Mr. Knapp to work in conjunction with the highway department superintendent and resolve the issue this spring.

Mr. Knapp reported to Commissioner McElligott that he is still working on names and addresses of the abutters list for East Main, Newland, Keith Drive and Keene Way, and suggested that the letters go out after the May town meeting because he heard there is a petition to amend the existing by-law. The Board agreed.

**Wheaton College:** Commissioner McElligott said there was no reason to go into Executive Session, there isn't anything new to report. Her next meeting / discussion with Brian Douglas is scheduled for Friday April 12<sup>th</sup>. Attorney Cove recommended that she keep the *Public Fund Doctrine* in mind during the negotiation process. It is illegal to use public funds to enhance or embellish if there will be no direct and significant purpose to the general public.

All appropriately processed bills were signed and correspondence was read.

Next meeting April 16, 2013 at 6:30 pm.

Meeting adjourned 11:00pm.