

Town of Hingham



Hingham Sewer Commission Meeting Minutes

July 23, 2020

Call to Order

Mr. Higgins called the meeting to order at 10:06 a.m.

Mr. Higgins read the following statement: "This meeting is being held remotely as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 suspending certain provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Hingham in accordance with the Open Meeting Law"

Members Present

Robert Higgins, chair; Kirk Shilts and Stephen Harold

Staff Present

Randy Sylvester, DPW Superintendent; Daniel Dempsey, Sewer Foreman; Liz Welch, DPW/Sewer Office Administrator; and Susan Murphy, Town Real Estate Attorney

Agenda

Dr. Shilts asked to add a brief Comprehensive Wastewater Master Plan (CWMP) update as part of the South Hingham Industrial Park Sewer discussion.

Vote: Dr. Shilts moved to approve the draft agenda as amended, seconded by Mr. Harold and VOTED (roll call);

members in favor: Higgins, Shilts and Harold

members opposed: none

Meeting Minutes of June 11, 2020

Dr. Shilts said the minutes from the Board package were missing a page. He said he earlier emailed the missing information from his notes to all members for review.

Vote: Dr. Shilts moved to approve the minutes of June 11, 2020 from his draft, seconded by Mr. Harold and VOTED (roll call);

members in favor: Higgins, Shilts and Harold

members opposed: none

Action Items:

128 Hersey Street Sewer Connection Application

This matter is a continuation from a prior meeting.

Mr. Sylvester said he is working with the MWRA to obtain an accurate GIS border of the Hingham Sewer District, since the original border was simply a marker drawn on a paper map. He said applicants should be required to submit an engineering plan to accurately show that their property is within the 200 foot reach-in buffer. He believes it is prudent to have a professional survey by a land surveyor done before a decision can be made.

Mr. Higgins said there is also a problem with the proposed sewer line being cross connected with the water line. Steve Bernstein, the applicant's engineer, explained there are two possible corrections, one would be an 18-inch separation and incase water line in concrete or come up with a design with no cross connection. Following Commission comments, Mr. Bernstein said will draft another plan.

Dr. Shilts said the Acts of 1945, Chapter 591, Section 2 describe the boundaries of north sewer district and the 200 foot buffer/reach-in. He does not know if the MWRA policy is if any sliver of the lot is in the buffer constitutes a legitimate reach-in or is up to Sewer Commission's discretion of whether the lot's structure or a majority of the lot needs to be within the buffer. Dr. Shilts said the MWRA should weigh in first.

Mr. Higgins said the applicant's next step is to obtain an engineer survey plan.

Vote: Dr. Shilts moved to continue this application for up to 90-days or until there is a certified survey plan along with an updated water connection, seconded by Mr. Harold and VOTED (roll call);

members in favor: Higgins, Shilts and Harold

members opposed: none

27 Isaac Sprague Sewer Easement Construction Request:

This matter is a continuation from a prior meeting.

Mr. Byrne, the applicant, submitted a revised plan as well as a legal use agreement. In discussion, the Commission agreed that all items going on the easement must be readily removable if necessary.

Mr. Byrne also explained the town's Electrical Inspector said overhead wires were prohibited and any electrical connection would need to have a buried box on either side of the easement and the cable at least 18-inches below ground.

Attorney Murphy said the use agreement has not been reviewed by Town Counsel. She said it will need to be a recorded agreement with all conditions and requirements documented on record. She said she could work with the homeowners counsel to ensure that it is in proper form and that all the conditions the Commission has mentioned are included. She said if the Commission was comfortable with the necessary conditions and ready to act it could vote to allow construction on the easement and legal use agreement to be approved by town counsel and have the chairman execute the agreement on behalf of the Commission.

Vote: Dr. Shilts moved to allow an electrical service across the sewer easement at 27 Isaac Sprague Drive based on plans dated 7/6/20, conditional on a completed use agreement approved by Town's Counsel and the conditions of the Hingham Wiring Inspector; and when completed the use agreement may be signed off by the Commission chair, seconded by Mr. Harold and VOTED (roll call);

members in favor: Higgins, Shilts and Harold

members opposed: none

173 Main Street Emergency Sewer Repair Update:

Mr. Sylvester described the sequence of getting reimbursed for the emergency repair performed on the private sewer system serving the property at 173 Main St. He said Town Counsel recommends the Sewer Dept. send the bill to the homeowner with a letter of explanation.

The Commission gave direction to staff to bill the homeowner for emergency repairs performed by the Sewer Dept. and ask the homeowner to perform a more complete repair to their failing private sewer infrastructure.

Howe Street Pumping Station – Kayak Storage on Town Property:

Chris Moran, 24 Mann Street, and some neighbors would like make landscape improvements at the Howe Street pumping station to make it more attractive. Mr. Higgins explained how the Town took out a chain link fence and installed a wood fence on the sides and front which was a major improvement. He is asking to further install plantings on the property. Mr. Higgins said the Sewer Dept. does not have the manpower to take care of plantings around the pump station. He also said we cannot allow others to do so because of liability concerns.

Mr. Higgins said the second issue is about kayak storage on the pump station property. Atty. Murphy explained that the kayaks people are attaching them to the fence could damage the fence. She said this is Town property and the Town is liable for what goes on here and what is left there.

Mr. Sylvester stated that there are “no trespassing” signs that were hard to see due to fading and overgrowth. He said these signs will be redone so everyone is aware of the Commission’s position.

Ms. Murphy asked Mr. Moran about the trustees of the North Beach Trust as they have not active for quite a long time. Mr. Peter Rosen who lives across from the pump station said he is one of the last two trustees who live in the Crow Point area. He said there is a well-intended group in Crow Point concerned about these issues but they are not the trustees. Ms. Murphy suggested if the trust was still active the Commission could issue a letter to make everyone aware of its concerns and policy before the Commission is in the position to start cutting locks from kayaks attached to the fence.

Mr. Higgins explained that the pump station is not a place where public should access and is not an appropriate place for kayak storage or a public park.

Ms. Murphy said relative to the beautification issue, it is one thing if the neighbors purchase and plant bushes which have a long-term issue of maintenance, but the liability issue of residents being on Town property and someone gets hurt is significant.

Vote: Dr. Shilts motioned to enhance (no trespassing) signage at the Howe St. Pump Station and direct residents and visitors to not place or store their items on Sewer Dept. property, seconded by Mr. Harold and VOTED (roll call);

members in favor: Higgins, Shilts and Harold

members opposed: none

Abatements:

The Commission reviewed sewer bill abatements from 14 Elm Street, 34 Emerald Street, 31 Park View Drive, 83 Elm Street, 5 Tupelo Drive, 109 Kilby Street, and 7 Isaac Sprague Drive.

Vote: Dr. Shilts motioned to approve the submitted abatements for 14 Elm Street for \$2,595.60; 34 Emerald

Street for \$840.48; 31 Park View Drive for \$939.36; 83 Elm Street for \$828.12; 5 Tupelo Drive for \$506.76; 109 Kilby Street for \$259.56; and 7 Isaac Sprague Drive for \$1,829.28, seconded by Mr. Harold and VOTED (roll call);

members in favor: Higgins, Shilts and Harold

members opposed: none

Discussion Items:

26 Lamberts Lane, Cohasset

Mr. John Ormond said he was directed by the Cohasset Sewer Dept. to get approval from the Hingham Sewer Dept. to hook into the Weir River Sewer District (WRSD).

Mr. Sylvester questioned if Cohasset told him that he would be a Cohasset customer or Hingham customer.

Mr. Ormond confirmed that he was paying Cohasset to hook up and would be paying Cohasset for sewer service.

Mr. Higgins said that we need a letter from Cohasset explaining that they approved the connection and that you would be their customer. He also said we will need to see the engineering plans on the connection into our sewer main.

South Hingham Industrial Park Sewer District/ CWMP

Dr. Shilts explained that the Town's CWMP which focused on South Hingham Industrial Park Sewer needs updating as it is getting old. He said it would be wise to take a step back and look at the options that were originally examined 11-years ago to see if the financial aspects are similar and what may have changed regarding the study's preferred option. He said the Commission should approach the Weymouth Sewer Department to see what a MWRA connection through South Weymouth would currently entail.

Mr. Shilts said he called the Town of Weymouth and spoke with Frank Sheppard from their Sewer Dept. and suggested a meeting with them to update their information within our Town's CWMP. As the chairman of the CWMP committee established by Town Meeting, Dr. Shilts would like the chair of the Sewer Commission and he to meet with Weymouth officials for this purpose. He doesn't feel this would be a public meeting of the Commission. He said we could notify the public of the meeting, but not a public meeting, for the exclusive purpose of updating information relative to the Town's CWMP.

Inter-municipal Agreement with Hull and Cohasset

Mr. Higgins explained that he has Zoom meeting with Cohasset next week to see if they want to give us back some of their sewer capacity going to Hull or keep it. He said we need to update our inter-municipal agreement with Hull which will involve the Board of Selectmen and Town Administrator. Mr. Higgins would like to have a meeting with Town Administrator Mayo for his perspective on how we should approach this.

Mr. Sylvester stated he would arrange meeting with Mr. Mayo, Mr. Higgins and himself.

Mr. Harold left the meeting

Sewer Regulations

Dr. Shilts said that we need to add some items to our regulations. He said we already have a new draft section on private sewer systems. He suggested creating a new addendum to the sewer regulations that takes all the pricing examples out of regulations and moves them into a stand-alone document. He said Mr. Higgins has always said it was helpful to have examples available so people can clearly see what they would be charged, so

he wrote an addendum that has every fee scenario. He said in process of writing the document, there are two fee scenarios in the WRSD would recommend changing. He also said we should add to the regulations whatever 200-foot reach-in policy the Commission establishes regarding the Acts of 1945 statute. He said those three things could be in discussed in September.

Scheduling

The next meeting is scheduled for September 24, 2020 at 10:00a.m.

Adjournment

Vote: Mr. Higgins motioned to adjourn the meeting at 12:10p.m., seconded by Dr. Shilts and VOTED (roll call);
members in favor: Higgins and Shilts
members opposed: none, with Mr. Harold absent

Respectfully submitted,
Liz Welch
DPW Office Administrator

Documents reviewed during public meeting:

- *Meeting agenda for July 23, 2020*
- *Draft meeting minutes of June 11, 2020*
- *Overlay map of Hersey Street*
- *Sewer Account Application – 128 Hersey Street*
- *Sewer Connection Application – 128 Hersey Street*
- *Stamped Proposed Sewer Connection Map – 128 Hersey Street*
- *Email from Bethany Card, MWRA to Randy Sylvester regarding North Sewer District, dated 7/31/20*
- *Draft Legal Agreement Assuming Financial Responsibility – 27 Isaac Sprague Drive*
- *Plot Plan showing location of electrical wiring – 27 Isaac Sprague Drive*
- *Email from David Comoletti, Hingham Wire Inspector, dated 7/6/20*
- *Email from John Ormond, dated 6/17/20*
- *Draft Appendix K – Examples of Common Sewer Fee Scenarios, dated 3/21/20*