

Town of Hingham



Hingham Sewer Commission Meeting Minutes

February 25, 2021

Call to Order

Mr. Higgins called the meeting to order at 10:03 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; Liz Welch, DPW/Sewer Office Administrator; Stephen Dempsey, Sewer Supervisor; Dan Dempsey, Sewer Foreman; Matthew Cahill, DPW Assistant Superintendent; and Pat Cotton and Steve Roy, Weston & Sampson Inc.

Agenda

Mr. Higgins reviewed the posted agenda with the Commission. He added a discussion on a proposal to expand the Town's Accessory Dwelling Unit (ADU) bylaw that came in within 48 hours as a New Business item.

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

members in favor: Higgins, Harold and Shilts

members opposed: none

Meeting Minutes

January 28, 2021

The Commission reviewed the draft meeting minutes of 1/28/21.

Vote: Dr. Shilts moved to approve the minutes of January 28, 2021 as drafted, seconded by Mr. Harold and VOTED (roll call);

members in favor: Higgins, Harold and Shilts

members opposed: none

Action Items:

2 Isaac Sprague Drive – Request for Abatement

Homeowner Jason Weida presents to the Commission requesting an abatement to his 2020 sewer bill.

Mr. Weida said his abatement relates to outdoor irrigation use last year measured by a dedicated meter. He said he was living in New York City due to the COVID-19 pandemic and unable to read his meter last fall. Ms. Welsh said Mr. Weida had already been given a ‘one-time only’ dedicated meter abatement in 2016 per Commission policy. She also mentioned he did not submit a dedicated meter reading the year before last in 2019.

Dr. Shilts said the request appears to be a hardship issue relative to travel to and from New York. He said a financial hardship would be something to take up with the Town Treasurer rather than the Sewer Commission. Dr. Shilts further explained that Mr. Weida’s letter alleges that the Commission’s process on granting abatements for dedicated meters is “arbitrary and capricious”. Dr. Shilts said ‘arbitrary’ means that there is no policy - but the Commission does have a policy. He said ‘capricious’ means that the policy is applied differently for different people and not in a consistent manner – which is precisely what Mr. Weida is asking the Commission to now do. Dr. Shilts said we have a long-standing policy and treat each and every abatement application the same, and have for years. Dr. Shilts suggested that Mr. Weida consider withdrawing his letter or the Commission will have to reply that his allegation is inaccurate and untrue. He said asking the Town Treasurer for relief rather than accusing the Commission of wrongdoing would be a better approach.

Mr. Weida said it was not his intention to accuse the Commission and that he would like to withdraw his request. He further stated that he did not review the abatement policy and will look back in his records to do so.

Abatement Requests:

none

Discussion:

Rt. 3A Force Main Resiliency Grant Application

(this matter was continued from the prior meeting)

Mr. Cotton explained that his proposal is for design work that will look into three options of rehabbing the Rt. 3A force main to determine which would be most appropriate. He said the purpose of his appearance is to get a contract to develop a grant application for the Commission to review and then hopefully submit.

Mr. Harold questioned being notified of the issues with this force main. He feels the history behind the force main’s deficiencies should have brought up to the Commission beforehand and the Commission better informed.

Mr. Higgins explained that we have been informed of leaks and repairs – adding that the force main can’t be videoed because it is always full and in use. Mr. Sylvester explained that he has video of when there was a main break. He said this is a forty year old main that is now breaking more often. He said we have made changes to the system recently to help alleviate pressures on that main. Mr. Sylvester further explained that the reason this is being brought up now is so it is on the Commission’s forefront and because the force main lacks resiliency it should be replaced in the near future.

Mr. Higgins stated he personally repaired that main in the past when he was working for another utility. The

main is brittle and has outlived its useful life. He said he has spoke of this concern since he was first elected to the Commission.

Dr. Shilts explained that all we are voting on today is to spend \$5,000 for our consultant engineer to develop an application. He said as part of the application, Weston & Sampson will likely have a section on the history of the pipe and why it can't sustain itself due to the problems of resiliency. This is a resiliency application and needs to be viewed that way. He said the Commission will have the opportunity to vote to submit the application once we get it and have reviewed it.

Mr. Roy said the first step will be to perform an analysis and design. He said the grant round will open in April and applications are due in June. He said they will focus on the analysis and history as well as resiliency components of concern.

Vote: Mr. Harold moved to authorize our consultant to move forward with a \$5,000 application to develop a resiliency study for the Route 3A force main, seconded by Mr. Higgins and VOTED (roll call);
members in favor: Higgins, Harold and Shilts
members opposed: none

Hingham Sewer Rules and Regulation Update

Mr. Higgins said the Commission left off on page 24 of its review at the last meeting.

Mr. Higgins said he sees the changes made on page 21 for the for the 200' border properties as discussed last month. Mr. Harold said he was happy with the new material.

Mr. Dempsey asked the Commission to consider adding a requirement that when a homeowner sells their home, they would need to replace the service connection if it hadn't been replaced within a certain number of years. He said this would prevent not only new owners from having problems, but would also help the department. The process would eventually change out every service connection in town. Mr. Higgins stated that this has a private property concern; and would be a good question for Town Counsel.

Dr. Shilts suggested a new requirement could parallel the town's septic regulation that when there is a transfer of title there needs to be an inspection to see if the (septic) system conforms to current safety standards. He said he could add this to the current draft for discussion.

Mr. Dempsey explained it is the responsibility of the homeowner to maintain their service connection (building sewer) and if we find evidence that they are contributing infiltration and inflow (I & I) into the system, they are required to replace or repair it. Dr. Shilts suggested we could inspect the property at time of sale for sewer failure or I & I related issues and if a problem is discovered between the house and street, we could notify the homeowner about their responsibility to effectuate a timely repair. Mr. Sylvester said he will ask Town Counsel about the legality of mandatory replacement/repairs of building sewers.

Mr. Higgins stated that due to time constraints we will continue the sewer rules and regulations discussion at the next meeting.

New Business:

Accessory Dwelling Units – Proposed Zoning By-law Change

Mr. Higgins would like to table this discussion until next meeting.

Dr. Shilts said this is a timely issue and asked the Commission to send a letter to the Planning Board (PB) with our perspective on the issue of detached structures where the PB will be discussing the bylaw proposal next week. He briefly explained that the Commission already has a policy on permitting detached structures including how a detached structure’s sewer line has to go into the main building and then from there into the building drain as you can’t have two service connections on one lot. He said the Board of Health is also writing a letter and hopes the Sewer Commission will too.

The Commission authorized Mr. Higgins to draft letter to the Planning Board about the Commission’s sewer policy for detached structures, with the Commission having the opportunity to review it before being sent.

Scheduling

No meeting date was scheduled.

Adjournment

Vote: Dr. Shilts moved to adjourn the meeting at 11:09 a.m., seconded by Mr. Higgins and VOTED (roll call);
members in favor: Higgins, Harold and Shilts
members opposed: none

Respectfully submitted,
Liz Welch
DPW Office Administrator

Documents reviewed during public meeting:

- *Meeting agenda for 2/25/21*
- *Draft meeting minutes of 1/28/21*
- *J. Weida, 2 Isaac Sprague Drive, abatement request and letter 2/16/21*
- *Hingham Sewer Commission Dedicated Meter Policy*
- *Weston & Sampson – CZM Coastal Resilience Grant Application Assistance – Broad Cove Pump Station Force Main Rehabilitation Design letter 2/24/21*
- *Draft Sewer Rules and Regulations update, 2/19/21*
- *BOH Supplementary Rules and Regulations for the Disposal of Sanitary Sewage, April 2020*
- *Department of Public Health 105 CMR 410 – Minimum Standards of Fitness for Human Habitation (State Sanitary Code, Chapter 11), January 2007*
- *2021 Warrant Article Citizens Petition on Accessory Dwelling Units, 11/30/20*