

**Board of Public Works**  
**08/26/21 – Minutes**  
**Conference Room A**

DPW Board Members: Chair – Tom Nephew, Pat Harrington, Lewis Lunn, George Clark, Jose Mercadco;  
DPW Director – Ken Kalinowski, DPW Business Manager – Paul Brinkman; Mr. Zaki, Mr. & Mrs. Yun.

**Call to Order at 6:30 p.m.**

Chairman Tom Nephew called the meeting to order at 6:32 p.m. and announced that it was being recorded and broadcast.

**Acceptance of Meeting Minutes:**

- **Jun 17, 2021 (Regular)**

*Pat Harrington made a motion to approve the June 17<sup>th</sup> minutes as written. Lewis Lunn seconded the motion. The motion passed unanimously, with Jose Mercado abstaining.*

At this point, Tom Nephew took the opportunity to introduce Jose (Joe) Mercado as the most recent appointed member of the Board. Joe said he was happy to be able to contribute and looked forward to helping out any way he could. The Board welcomed Joe and expressed their enthusiasm for his appointment.

**Abatements:**

**20 Bacon Street (Zaki)**

The owners of this property appeared before the Board in June having received a written notice for violating the mandatory outside water ban. At that time, the owner stated his lawn was in rough shape and that he was watering certain irrigation zones of his lawn twice per day. The Board discussed what would be an appropriate watering schedule and voted to allow Mr. Labib to expand his watering to 20 minutes, twice per day, morning and evening, until the lawn was established. Upon receiving their ~\$4700 water bill, the owners inquired with neighbors and noted that many had deduct meters installed for irrigation purposes. They then filed for an abatement due to the fact that they could not purchase a deduct meter, as the Board suspended sales of these devices as a measure to ease the water issues, ie, the drought, Bemis & Nashua wells being offline, PFAS, etc... There was a long discussion on the intent of the previous motion/vote, more specifically, whether the 20 minutes/twice per day applied to each of the 6 zones individually (4 hours total use) or in the aggregate (40 minutes total use). Pat Harrington stated his intent was the latter. Tom polled the Board twice to determine what, if any, relief might be justified. The general feeling of the Board was that the owner had specifically requested relief from the water ban to irrigate their new lawn, and that nobody was allowed to purchase a deduct meter in 2021, therefore, no relief should be granted.

Pat Harrington made a motion to deny the abatement request for the account # 6434. Lewis Lunn seconded the motion. **The motion passed unanimously.**

### **89 Main Street (Yun)**

The Yuns explained that they had a small rental unit in the rear of their property, and that they had a leaking toilet which the tenant failed to notice and report to them. Upon receiving their bill, they diagnosed the situation and fixed the leak. Tom explained the Boards policy on abatements. Ken noted that this account had been granted an abatement for \$190 +/- approximately 6 years ago for the same issue. The Yuns stated that they had applied for an abatement and that they understood the policy.

Pat Harrington made a motion to abate the account # 3407 in the amount of \$254.62 in water and \$66.50 in sewer. Lewis Lunn seconded the motion. **The motion passed unanimously.**

### **Water/Sewer Updates**

- **PFAS Update.** Ken reviewed the July test results and noted that everything appeared to be stable with Nashua Road testing at approximately 18-19 parts per trillion (ppt) and the Jersey Wells coming in at approximately 11 ppt. Bemis was tested under the mandatory quarterly monitoring and registered at just under 2 ppt. Ken informed the Board that MADEP Bureau of Waste Site Cleanup had conducted testing on several old monitoring wells in the vicinity of the Nashua Road well in an attempt to identify a possible source of the PFAS at this site, and that a report would be issued from the consultant in the next 4-6 weeks. There was a discussion on the Towns approach in general to addressing the PFAS issue, with a specific query on the Task Force. Ken noted that to date, nobody had submitted any expression of interest to be part of this effort, and that for the time being, the DPW was moving forward with preliminary identification and evaluation of options.
- **Water Operator recruitment.** Paul Brinkman noted that the recruitment had generated a viable candidate, and that an offer was pending.
- **Misc Updates.** Ken directed the Boards attention to a letter in their packets. It was issued by the Massachusetts Water Environment Association and addressed to DEP Commissioner Martin Suuberg. The jist of the letter was putting DEP on notice that their PFAS regulations were having significant negative impacts on the disposal of bio solids in the wastewater community. This was an issue that may eventually impact Pepperell as we do not have in-house options to dispose of our treatment by-products and rely on these other institutions such as landfilling, etc... The staff will monitor this situation as it develops.

### **DPW**

- **Misc updates:**
  - **2021 Roads Program.** Ken informed the Board that the paving projects had been completed. The list included:

- **Harbor Street.** Overlay West Street to Shattuck Street.
- **Groton Street.** Mill and pave from the covered bridge to Hollis Street.
- **Canal Street.** Mill and pave the entire length from Main Street to River Road.
- **FEMA Maps.** Ken asked the Board to take note of a letter in their packets from FEMA, regarding the pending issuance of new flood maps. Public officials were welcome to review and comment, but FEMA cautioned against general public dissemination of this information at this point given the sensitivity of this issue on private property values. There will be public meetings after all the remaining comments are assembled and evaluated.
- **Transfer Station.** Ken informed the Board that the Transfer Station would shortly be undergoing the annual 3<sup>rd</sup> Party Inspection, as required by MADEP. It was not expected to generate any issues as the facility is very well run.

### Review & Approve Documents:

- **Commitments.**

*The July commitments were signed by the Board.*

- **Drainlayers license – Arthur Pyburn & Sons.** Ken presented the application for the contractor who would be installing the water main for the Robinson Hollow Subdivision off of South Road. This would require extending the main in Route 119 as well as installing the new main in the development. All of the required insurances, fees and forms were in place, and references were checked and found to be satisfactory; therefore the staff recommended approval of the application.

*Pat Harrington made a motion to approve the application of Arthur Pyburn and Sons as a drainlayer in Pepperell. Lewis Lunn seconded the motion. **The motion passed unanimously.***

### Commissioners Comments:

- **Board meetings.** Tom Nephew noted that the Board had previously met at 5:30 for the ‘virtual’ meetings. With the return to ‘in-person’ meetings, the 6:30 start time was thought to be better for most Commissioners, but they all agreed to keep 5:30 as the start time for meetings. It was also decided that 1 meeting per month appeared to meet the needs of the Board. After a brief discussion, the Board determined that it was most convenient to meet on the 3<sup>rd</sup> Thursday of the month.
- **Election of Officers.** With the recent appointment of a new BPW Commissioner, Tom asked that the election of a chair and vice-chair be postponed until the September meeting.

### Next Meeting Dates:

- September 16, 2021

### Executive Session:

*Pat Harrington moved that the Board of Public Works enter into an executive session as authorized by Chapter 30A, 21 (a) (3), (7) of the Mass General Laws and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss sewer IMA negotiations with Town of Groton, and further to adjourn at the conclusion of Executive Session. Invited to the meeting are Ken Kalinowski and Paul Brinkman.*

Tom Nephew stated the Board convened in Open Session at a meeting for which 48 hours' notice had been provided and following the Executive Session the open meeting will immediately adjourn.

*Joe Mercado seconded the motion.*

The following roll call was taken:

Tom Nephew	<u><b>Aye</b></u>
Joe Mercado	<u><b>Aye</b></u>
Lewis Lunn	<u><b>Aye</b></u>
George Clark	<u><b>Aye</b></u>
Pat Harrington	<u><b>Aye</b></u>

***The Board entered Executive Session at 7:52 p.m.***

**Adjournment:**

*Pat Harrington made a motion to adjourn. George Clark seconded the motion. **The motion passed unanimously.***

The meeting was adjourned at 8:35 p.m..

Respectfully submitted,  
Kenneth Kalinowski, PE  
Director of Public Works