



## TOWN OF SHREWSBURY

Richard D. Carney Municipal Office Building  
100 Maple Avenue  
Shrewsbury, Massachusetts 01545-5398

### Board of Sewer Commissioners New Selectmen's Room Tuesday, January 15, 2019- 7:00 P.M.

### MINUTES

Present: Peter Reilly, Chairman  
Joseph Zecco  
Fred Confalone  
Jeff Howland, DPW Director  
Robert Tozeski, Superintendent Water/Sewer

Also Present: Kevin Mizikar, Town Manager  
Andrew Truman, Town Engineer  
Vincent Thai, Town Compliance Engineer  
Hillary Lacirignola, Weston & Sampson  
Jaurice Schwartz, Weston & Sampson

1. The meeting was called to order at 7:00 P.M.
2. The minutes from the meeting of December 18, 2018 were accepted as written.
3. The Chairman, Peter Reilly, opened the hearing by introducing the Board members and invited Jeff Howland, DPW Director to speak first. Mr. Howland introduced himself and the other members involved in the stormwater process at the main table and two representatives from Weston & Sampson in the audience. A power point presentation was shown by Vincent Thai in which Mr. Howland gave an overview of the Stormwater Permit history along with the appeal period that was outlined to the current permit becoming effective July 1, 2018. Definitions were given for stormwater and the differentials between municipal water & wastewater and stormwater runoff. The discussion ended with the Stormwater Permit and its provisions being an unfunded Federal mandate.
4. Jaurice Schwartz, Weston and Sampson, spoke next about what other communities that she has worked with are doing in relation to their Stormwater Permits. Eleven communities are collecting fees and another three are working with her to develop a stormwater fee schedule. The communities of Chicopee, Newton and Northampton were spoken about more specifically about their particular situations in implementing stormwater utilities.

5. Mr. Howland next went over the proposed rate structure and tiers. He stated that approximately 91 percent of all residential properties would be in the lowest category of Tier One. The tiers are arranged by the amount of impervious surface area on the property and tier one represents property that are 5,000 s.f. or less with an annual rate of \$90.00.

An overview of proposed activities within the Stormwater Budget from FY 20 to FY 24 were next discussed. The budget would cover the administrative costs for two full time employees from the Engineering Staff, various drainage improvement projects, detention basin inspection and maintenance, street sweeping, catch basin cleaning and a Town wide aerial flyover every three years. Other requirements involve public education, outreach and participation programs, phosphorus control plan, illicit discharge detection and elimination programs and other various plans and reports.

6. Kevin Mizikar, Town Manager, spoke next on the financial aspects of the Stormwater program. He outlined a five-year plan for a Stormwater Enterprise Fund Balance Sheet to meet sufficient revenue to cover any deficit. The question of absorbing the cost of stormwater management into the Real Estate Tax was next addressed. The Town is limited in its ability to increase property taxes by 2 1/2% each year. This limitation makes it nearly impossible for the Town to be able to absorb new mandates that have significant costs especially when accounting for general inflation so in reality a Proposition 2 1/2% Override would be required.

Due to stormwater being able to be quantified then a fee made more sense than classified as a tax. Lastly, Mr. Mizikar felt that the rate structure presented was very prudent and equitable to all customer bases. There was a brief update on the stormwater fee being added to water/sewer bills for existing customers and the possibility of switching from quarterly to monthly this upcoming July.

7. Peter Reilly, Chairman, spoke about the Stormwater Permit being an unfunded federal mandate and the substantial costs needed to meet the regulation. Then Mr. Reilly opened the hearing to public comment by inviting residents in the audience to come forward and state their name and address and state their comments.
8. First speaker was William Barry, 64C Shrewsbury Green, who raised concerns about his rent being raised due to the stormwater fee being passed. The reply back to Mr. Barry was with 378 units in the complex with an estimated \$7,500 annual charge that would equate out to \$19.00/unit.

Town of Shrewsbury  
Sewer Commissioners Meeting  
January 15, 2019

9. George Demake, St Nicholas Church, Gold St., asked about evaluation of existing drainage structures exceeding minimum requirements and then the credit policy was discussed.
10. Jean Rinker, 650 Grafton St., wanted to know if rates are going to be raised. It was discussed that the first five years costs are pretty well known. Starting with Year Six projects to reduce phosphorus come into play and costs are unknown at this point.
11. Robert Proulx, 45 Francis Ave., spoke about administrative costs and the inadequacy of the treatment methods to achieve any real benefits for the money spent.
12. John Lukach, 4 Bunker Hill Rd., spoke in favor for a Proposition 2 1/2% override to cover the costs. He felt that there would be a potential tax benefit on property taxes rather than paying just a Fee. Also questioned how the accountability of the money received was going to be handled. Mr. Mizikar responded with a description of how the establishment of an enterprise account would be undertaken.
13. Toma Duhani, 5 Bridle Path, asked about if the tasks outlined in the Stormwater Budget would benefit other Departments. He used the flyover as an example benefiting possibly the Assessor's and Highway Departments. Mr. Howland answered that other Departments could possibly benefit but the cost was being borne by the Stormwater Program.
14. Louis Farina, 115 Francis Ave, spoke about the relationship between usage and what you pay. He also referenced house size differentials and felt that the Stormwater Fee should be on the property tax bill. Mr. Mizikar spoke again about property taxes being subject to a maximum 2 1/2% increase from one year to the next and the possible problems that would be encountered.
15. Chris Kirk, 40 Westwood Rd., asked about operating and capital costs for the program. He was concerned about accountability and who was overseeing the revenue being spent. The response back to him was there was an annual report outlining activities to EPA and this was considered public information.
16. Gene Buddenhagen, 201 Gulf St., spoke about the complicated structure of the fee schedule and the differences between commercial and residential properties along with non-profits. The conversation next focused on the creation of the \$1.4 M-\$1.8 M Enterprise Fund to be set up to cover capital costs and excess revenue to be held in reserve in years not used. There would be an expense line built in to account for 3-10% in credits. In the present Highway budget, there is \$255,750 to

cover existing items in the budget. It is estimated that the Town's portion of the annual stormwater costs would be \$121,000.

17. John Amoroso, 18 Blossom Tree Dr., spoke about living in a private development where they maintain the roads and infrastructure themselves. He question how these types of developments fit into the rate schedule. Mr. Howland explained how all parcels were part of the stormwater process and fee the schedule was equitable.
18. Charles Garabedian, 24 Westmont Rd., spoke about the regulation of lawn fertilizer being sold to the public. He felt that if the government was forcing stormwater regulations on the public then they should do their part to regulate possible contaminates from entering the system. He also spoke on other matters that could be undertaken to improve the environment.
19. Paul Shepard, 62 Westwood Rd., spoke about the recent federal government shutdown and the impact on the EPA and the stormwater regulations. He also asked if the Engineering Department had a listing of what tier each house would be in and ended by asking if anyone had approached the legislature about the matter. It was stated that Vincent Thai had the information about individual properties in Town and that only four states in the country do not have stormwater implementation at this time so the government shutdown does not really effect stormwater implementation.
20. Carol Keating, 44 Robertson Dr., asked if billing is being charged monthly will it be an estimate or actual usage as far as water usage is concerned. She was told when billing goes to a monthly format, the reading would be an actual read.
21. Bob Mitchell, 33 Latura St., spoke about looking for an EPA final rule sheet at the meeting and did not see one. He continued to speak about best management practices and how illicit discharges are monitored out into the system. He also spoke if counter measures have been taken by businesses to offset these discharges. Mr. Howland gave the example of Lakeway Commons putting in different infiltration methods for mitigation along with other developments in Town. Mr. Mitchell also spoke about the Highway Department leaving extra salt at street intersections that contribute to the stormwater problem.
22. Ben Tartaglia, 19 Kenilworth Rd., asked the Town Manager what the Town budget was to which Mr. Mizikar answered approximately \$143 M. He felt we have a management problem and that 1-1 1/2% could be cut from the budget somewhat easily and could be used to offset the stormwater fees. He used the example of three human resource people in close proximity and cutting of other full time employees to achieve the 1-1 1/2% savings. The Chairman, Peter

Town of Shrewsbury  
Sewer Commissioners Meeting  
January 15, 2019

Reilly, noted Mr. Tartaglia comments but said the measures that he was speaking about were beyond the scope of the Board of Sewer Commissioners.

23. James Dealy, 16 Frybeck Ave., asked about the first five years being for evaluation only and how is money going to be spent for improvement. He also spoke about the Town Water Treatment Plant being a waste of money and he cannot drink water at his house. Mr. Howland spoke that construction costs need to be calculated after the first initial period and will be calculated at that time. Mr. Mizikar made note about the Treatment Plant working as designed.
24. Jay Talbot, 15 Venus Dr., asked about the justification for the 5,000 s.f. of impervious surface and what the stormwater fee account was for. He also asked about reimbursement for dry seasons. Mr. Howland said the stormwater fee is Townwide based on average land area and lot sizes and seasonal variations does not change the fee schedule.
25. Public comment closed at 9:10 P.M. Motion was made by Joseph Zecco to officially close the public hearing and adjourn, seconded by Fred Confalone and unanimously voted.

Respectfully submitted,

Robert Tozeski  
Superintendent Water & Sewer

RT/mb