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CITY OF GARDNER
MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY COUNCIL

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2020 JAN 30 PM 5:14

CITY CLERK'S OFFICE
GARDNER, MA

WARD 1 COUNCILLOR
James M. Walsh, Esq.

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WARD 3 COUNCILLOR
Nathan R. Boudreau

WARD 4 COUNCILLOR
Karen G. Hardern

WARD 5 COUNCILLOR
Alek Dernalowicz, Esq.



January 30, 2020

PUBLIC SERVICE COMMITTEE & MUNICIPAL GROUNDS
COMMISSION JOINT MEETING

Date: Tuesday, February 4, 2020
Time: 4:30 P.M.
Location: DPW Office, 50 Manca Drive

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Chair, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

AGENDA

- I. Review and Approval of the Minutes of the prior meeting.
- II. Department Updates:
 - Public Works/Sewer/Water – Dane Arnold, DPW Director
 - Survey/Engineering – Chris Coughlin, City Engineer
 - Conservation Commission – Lyndsy Butler, Conservation Agent
- III. Abatements Water/Sewer:
 - a. Hope House of Peace 29 Pleasant St.
- IV. Proposed Ordinance Amendments:
 - a. City Code Ch 625, Water, § 625-5. Fees and Charges
 - b. City Code Ch 625, Water, § 625-10. Water System Connection Fee.
- V. Councilor Requests.
- VI. Adjournment

NOTICE: The listing of Agenda items are those reasonably anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

CITY COUNCIL OF GARDNER

Nathan R. Boudreau

Nathan R. Boudreau
Chairman, Public Service Committee

REGULAR MEETING PUBLIC SERVICE COMMITTEE of December 16, 2019

Meeting of the Public Service Committee was held in the office of the DPW 50 Manca Drive at 4:15 pm, December 16, 2019.

Members Present: Councilor Nathan Boudreau Councilor Craig Cormier, Councilor James Boone, Administrative Assistant Denise Merriam

Attendees: Dane Arnold DPW Director, Chris Coughlin, City Engineer, Resident from 149 West St. and 40 Brookside Dr.

CALL TO ORDER

Councilor Nathan Boudreau called the meeting to order at 4:15 pm.

OPEN MEETING RECORDING

ANNOUNCEMENT – any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to Secretary of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

No one is recording the meeting.

ACCEPTANCE OF MINUTES

Motion to accept the minutes of the September 16, 2019 meeting as written Councilor Craig Cormier second by Councilor Nathan Boudreau, all in favor motion carries.

ORDINANCE ISSUE

Homeowner of 40 Brookside Drive request for abatement of water/sewer bill, we did a Municipal Lien for closing date given us, pool liner was repairs pool was filled after that date so new owner was billed for the water, they feel it should be the responsibility of the previous owner as filling of pool was discussed at closing. Amount was taken off the bill for the sewer portion of the pool filling. Councilor Cormier asked if she spoke with the previous owner. She stated no. Dane: water went through the meter we have to bill current owner. The closing attorney should have addressed this. You are the legal owner now; your closing attorney should have protected you. Councilor Boudreau asked if the Clarks were still approachable. Sue not sure. Rob we read meter when we were asked to and billed according, they used the pool all summer. Councilor Boudreau informed the homeowner that the committee would review the information and get back to her by letter as to their decision. Councilor Boone we cut back on the sewer already they used the water. Councilor Cormier she should go after her realtor. Councilor Boudreau a gray area. Request by Councilor Craig Cormier to ask the City Solicitor for opinion on what can be done. All in favor.

149 West Street: Water shut off leaking in the street homeowner was informed they are responsible for repairs. Dane: homeowner had an issue with high water bill from a leaking toilet and they requested the meter be tested, the meter tested ok water was shut off at street at that time. City Code states homeowner is responsible for shut off. Councilor Cormier asked if we

make any exception. Rob stated no stick to City Code. Councilor Boone asked if we knew of any contractors that would charge less. The City only gets involved if the shut off is not repaired over a reasonable amount of time and is a public safety issue. The City would hire a contractor and then bill the homeowner. No action was taken by Committee

#10217 A Petition by National Grid and Verizon New England for permission to install 1 JO Pole and to relocate 4 JO Poles on Pleasant Street beginning at a point approximately 114' south of the centerline of the intersection of Pleasant and Emerald Streets and continuing approximately 604' in a southerly direction. Relocate National Grid facilities due to DOT Project #609964, Pleasant Street over Pan Am Railways (In City Council and Referred to Public Service. Chris had no issue with the change, good idea. Motion made by Councilor Craig Cormier second by Councilor James Boone to approve petition, all in favor motion passes.

City Code Ch. 625. Water 625-5 Fees and Charges and Water 625-10 Water System Connection fees. Fees have not been changed since 1990, Dane we took back water and sewer the backflow tests are ours and need to be taken twice a year. We have hired someone to do these but we need to increase fees to cover cost of testing. Councilor Boone asked if we were going to save money. Dane said things will be more efficient, more control over what is done, also equipment can be shared with Highway Dept. Rob we need to change the fee schedule to cover new or changing costs. Motion made by Councilor Craig Cormier second by Councilor James Boone to accept changes in fees as presented. All in favor motion passes.

REPORTS FROM DEPARTMENT HEADS

Dane Arnold: 15 Mayfield Road pumping water into the road they were sent a letter to correct and now they are pumping into their back yard.

Sump pump letters have gone out, some homeowners have no place to put the water, but they are liable if anything happens once they have been notified.

Did not get all the paving done still have some sidewalks left this spring.

Water project downtown still going on.

Sewer will be done in the spring.

Community Dev. Doing sidewalks downtown.

We went out to bid for contracting out water and sewer plants and the pump stations and Suez will be replaced with Veolia. Veolia will interview existing employees and hire who they want. Councilor Boudreau asked if we could hire our own people. Dane said very difficult for us cost of salary very hire. Rob stated they can get help faster.

Chris Coughlin: Order of Compliance under Section 309 of the Clean Water Act, Docket No. CWA-AO-R01-FY20-08. We will be enacting three ordinances. Working on storm water discharge, they want the frame work in place. Councilor Boudreau are there any storm water grants. Chris some on mapping. Permit from EPA regulates how we have to do certain things. Have a draft going back to EPA to see if acceptable. Councilor Boone asked if storm water going into Parkers Pond, Dane yes. Chris once we get this approved from EPA will send up to Council.

MONEY ORDERS

REPORTS & REQUESTS FROM COUNCILOR'S

Councilor Nathan Boudreau: Thank you for the last two years.

Motion made by Councilor Craig Cormier second by Councilor James Boone to adjourn meeting at 5:10 pm. All in favor motion passes.

Next meeting will be scheduled at a later date.

All documents submitted at this meeting are stored in the office of the DPW 50 Manca Drive for any review.

Respectfully submitted:
Denise M. Merriam, Administrative Assistant

DRAFT



**Department of Public Works
CITY OF GARDNER**

Robert E. Oliva, Assistant Director
50 Manca Drive
Gardner, MA 01440-2687
Telephone (978) 630-8195

November 27, 2019

Ms. Jessica McKinnon
House of Peace & Education, Inc.
29 Pleasant Street
Gardner, MA 01440

Re: 29 Pleasant Street
Water/Sewer Abatement Request

Dear Ms. McKinnon,

We are in receipt of your abatement request for your latest water/sewer invoice. From your letter I understand that your property had a running toilet that ran for an extended period of time. Under City Ordinance any water that passes through the meter is the responsibility of the user. Unfortunately, since the water consumed from the running toilet was discharged to the sewer we have to hold you responsible for both the water and sewer charges on the invoice.

You have the right to appeal this decision to the Public Service Committee (a subcommittee of the City Council). If you wish to do so, please let me know and you will be placed on the agenda for their next available meeting date. We will keep you informed of the time and place of that meeting if you choose to appeal to the Committee. If you have any questions regarding this matter please do not hesitate to call.

Sincerely,

Robert E. Oliva, Assistant Director
Department of Public Works

cc: Water/Sewer Billing Office

HOPE

HOUSE of PEACE & EDUCATION, INC.

LEARN • BELIEVE • SUCCEED

November 21, 2019

Dane Arnold
Gardner Public Works Department
50 Manca Dr.
Gardner, MA 01440

Dane,

RE: Water/Sewer Abatement request

House of Peace & Education, Inc. – Account Number 009-01370029
29 Pleasant St.
Gardner, MA 01440

We are requesting an abatement on our excess water usage between 7/2/19 and 10/8/19 of 9100 gallons as we had a leaking toilet that has since been shut off.

Thank you.

Sincerely,

Jessica McKinnon

Jessica McKinnon
Managing Director



GARDNER WATER DEPARTMENT

All Payments Are To Be Made At The Collector's Office, City Hall, Room 118
MONDAY - THURSDAY 8:00 A.M. - 4:30 P.M. FRIDAY 8:00 A.M. - 1:00 P.M.
For Questions About Your Bill, Please Call 978-630-8195

WATER / SEWER / TRASH UTILITY BILL

ACCOUNT NO.	BILL NUMBER	BILL DATE	DUE DATE	AMOUNT DUE
009-01370029	49780332	11/01/2019	12/03/2019	1,064.12

HOUSE OF PEACE & EDUCATION INC
29 PLEASANT STREET
GARDNER, MA 01440-2608

CHARGE CODE	FROM	TO	PREVIOUS READING	CURRENT READING	USAGE (CF)	CHARGE AMOUNT			
WATER A	07/02/2019	10/08/2019	117400	126500	9100	520.52			
SEWER A					9100	455.00			
CREDIT APPLIED		INTEREST DUE		PAST DUE CHARGES		CURRENT CHARGES		TOTAL AMOUNT DUE	
.00		2.99		85.61		975.52		1,064.12	

LOCATIONS 29 PLEASANT STREET

RATES WATER \$5.72, SEWER \$5.00/100 CF, SEWER ONLY \$75.00, TRASH \$50.00
CITY HALL IS CLOSED NOVEMBER 11TH, 28TH & 29TH TO OBSERVE THE HOLIDAYS *VOS 11/21/19*

DETACH PAYMENT COUPON



MAKE CHECKS PAYABLE TO: THE GARDNER WATER DEPARTMENT
OR PAY ONLINE AT: www.gardner-ma.gov

BILL NUMBER	BILL DATE	DUE DATE
49780332	11/01/2019	12/03/2019

ACCOUNT NUMBER 009-01370029

LOCATION 29 PLEASANT STREET
HOUSE OF PEACE & EDUCATION INC
29 PLEASANT STREET

CREDIT APPLIED	.00
INTEREST DUE	2.99
PAST DUE	85.61
CURRENT CHARGES	975.52
TOTAL AMOUNT DUE	1,064.12

Please write your Account No. on your check

AMOUNT
ENCLOSED

11/25/2019 13:30
charty

GARDNER, MA
UB Consumption History Report

P 1
ubcnsinq

Account Number	Customer # Name	Cd	Read Date	Time	Parcel	Bill #	Curr Read	Location Usage	Repl Usage	Charge Amt	Billed Amt	Status
00901370029	683305	HOUSE OF PEACE & EDUCATION	INCM220000500018					29 PLEASANT STREET				Active
100	SENS54140601	A	10/08/2019			49780332	126,500	9,100	0	520.52	975.52	975.52
100	SENS54140601	A	07/02/2019			49774015	117,400	800	0	45.76	85.76	85.76
100	SENS54140601	A	04/02/2019			49767797	116,600	700	0	39.45	74.45	74.45
100	SENS54140601	A	01/16/2019			49759496	115,900	1,100	0	57.86	112.86	112.86
100	SENS54140601	A	10/04/2018			49753354	114,800	1,100	0	39.45	59.45	59.45
100	SENS54140601	A	07/09/2018			49745181	114,700	0	0	39.45	59.45	59.45
100	SENS54140601	A	04/05/2018			49736850	114,700	0	0	39.45	59.45	59.45
100	SENS54140601	W	10/15/2017			49724490	102,225	12,475	0	656.19	1,278.94	1,278.94
100	SENS54140601	E	07/15/2017			49718313	102,225	0	0	39.45	59.45	59.45
100	SENS54140601	A	04/10/2017			49712155	102,000	100	0	39.45	59.45	59.45
100	SENS54140601	A	01/10/2017			49706067	102,000	100	0	39.45	59.45	59.45
100	SENS54140601	A	10/13/2016			49699839	101,900	200	0	39.45	59.45	59.45
100	SENS54140601	A	07/13/2016			49693692	101,700	100	0	39.45	59.45	59.45
100	SENS54140601	A	04/11/2016			49687608	101,600	89	0	39.45	57.45	57.45
100	SENS54140601	A	12/22/2015			49681544	101,511	1,211	0	63.70	117.12	117.12

** END OF REPORT - Generated by Christine Harty **

§ 625-5 Fees and charges.

[Amended 4-17-1990 by Ord. No. 1044]

A.

There shall be a water system connection fee in the amount as specified in Subsection F of this section and § 625-10F, plus an inspection fee. All other connection fees and charges will be defined in Subsection F of this section and § 625-10F.

[Amended 11-7-1994 by Ord. No. 1174]

B.

There will be one free turn-on and turnoff of water each year during normal work hours, and there will be a charge for anyone wishing more than one. A twenty-four-hour notice would be required by the Water Department.

C.

The homeowner may have his water meter tested after he has paid the advance charge of \$40 \$50. If the meter is found to be defective, the charge will be refunded.

[Amended 11-2-2009 by Ord. No. 1504]

D.

Any person, as defined in § 625-1, conducting a flow test of fire hydrants must notify the Water Department in writing 72 hours prior to the test and there will be a charge as specified in Subsection F of this section.

[Amended 11-7-1994 by Ord. No. 1174]

E.

Hours for service calls will be:

[Amended 11-2-2009 by Ord. No. 1504]

(1)

Monday to Thursday 7:00 a.m. to 3:00 p.m.

(2)

Friday 7:00 a.m. to 12:30 p.m.

F.

Fees and miscellaneous charges.

[Amended 11-5-1990 by Ord. No. 1060; 11-7-1994 by Ord. No. 1174; 11-20-2000 by Ord. No. 1339; 11-2-2009 by Ord. No. 1504; 11-18-2013 by Ord. No. 1563]

(1)

Meter testing: ~~\$40~~ \$50.

(2)

Meter seal broken or any tampering with meter: \$500 single-family residence and \$500 all other connections plus estimated cost of water used.

(3)

Leak locating on owner's property: property owner to contact private contractor.

(4)

Installation of new services: property owner to contact private contractor.

(5)

Repair or renewal of service on owner's property: property owner to contact private contractor.

(6)

Shutting off and turning on service for repairs on private property: \$50 (users allowed one per year free).

(7)

Shutting off service and removing meter (includes shutting off for nonpayment): \$75.

(8)

Turning on service and installing meter: \$50.

(9)

No pressures (reaming only): ~~\$85~~ property owner to contact private contractor.

(10)

No pressures (digging on owner's property): property owner to contact private contractor.

(11)

Valve installation (inside foundation before meter furnished by owner): property owner to contact private contractor.

(12)

Inspection for services and water mains: ~~\$35~~ \$50.

(13)

Hydrant use:

(a)

Swimming pools: meter and bill water only.

(b)

Construction and others: \$150 per day plus meter and bill.

(14)

Cross-connection:

(a)

Survey new and existing facilities: ~~\$25~~ \$50.

(b)

~~Low hazard tested annually: \$25.~~

(b)

There will be a charge of \$70 per unit per inspection for backflow prevention devices for facilities with 1 to 4 total devices.

(c)

~~High hazard each test: \$25.~~

(c)

There will be a charge of \$60 per unit per inspection for backflow prevention devices for facilities with 5 or more total devices.

(d)

~~One to four devices: \$25.~~

(e)

~~Five or more devices \$25.~~

(f) (d)

First retest: \$0.

(g) (e)

Subsequent retesting: ~~\$25~~ \$50 each device.

(15)

Flow test per hydrant: \$100.

(16)

Frozen water service:

(a)

First call during season: property owner to contact private contractor.

(b)

Second and additional call during season: property owner to contact private contractor.

(17)

Charge for applying water liens on tax bills: ~~\$50~~ \$100.

(18)

Minor Equipment used on hourly basis (if applicable): \$55.

(19)

Labor hourly basis:

(a)

Normal working hours: actual hourly rate of employee.

(b)

Overtime (three hours minimum): actual hourly rate of employee.

(c)

Sundays (three hours minimum): actual hourly rate of employee.

(20)

Final readings/administrative fee for property closings: \$50.

G.

~~There will be a charge of \$50 per unit per inspection for backflow prevention devices.~~

§625-10 Water system connection fee.

C.

The water system connection fee shall be as specified in Subsection F of this section. All new construction or substantial building alteration or modifications shall require a separated water service for each structure on the property unless deemed otherwise by the Director. Connection fees shall be waived for existing structures being altered or modified that are already being served by City water. These fees shall be paid by the contractor prior to obtaining the permit at the Department of Public Works. The permit is valid through the last day of the year in which the permit was issued.

[Amended 11-7-1994 by Ord. No. 1174; 12-3-2001 by Ord. No. 1359; 12-18-2006 by Ord. No. 1445]

§625-19 Testing and maintenance; fees.

F.

The fee for administrative work and surveying new and existing facilities for cross-connections will be ~~\$25~~ \$50.