



COHASSET SEWER COMMISSION
Meeting Minutes

Tuesday, August 24, 2021

*In Attendance: William McGowan, Chairman
Wayne Sawchuk, Clerk
Paul Kierce, Member
Dan Coughlin
Rod Hoffman*

Meeting Open: 1:12pm

Next Meeting: Tuesday, August 31, 2021 @ 10:00am CJC only

380, 390, 400 Chief Justice Cushing Highway:

Present: Attorney De Lisi, Donald Staszko,

Attorneys have not reached an agreement on the final version of the connection agreement loose ends were raised with Attorney De Lisi but there has been no response. Hoffman recommends to not approve the agreement without further changes that he has made. McGowan would like the attorneys to work offline and come to an agreement and have a quick meeting next week to discuss and approve the project. Kierce agrees and refers to the last public meeting that there were 4 changes that had to be agreed to. In reviewing these 4 changes Hoffman had a few more changes that came to light. Coughlin adds that some language needed to be clarified.

Discussion regarding the changes continues.

1st: last paragraph page 3 regarding flow additional flow is discussed and agreed to by De Lisi

Page 4: De Lisi approves the language inserted by Coughlin.

Retainer : \$10,000 DeLisi wants release of that obligation once service is connected? Any remaining balance in this fund can this be returned. Sawchuk suggest it be guaranteed for a year. De Lisi is fine with that.

1.3D has to do with rate being paid to Hull. DeLisi questions why 115%. De Lisi is ok with the 115%. but questions the mechanism to determine the amount of CJC flow being sent to Hull. Coughlin explains that it's the displacing of other flow to Cohasset plant it is charge. Since CJC is displacing the flow it is automatically at the 115% rate.

Coughlin recommends that anyone connecting outside the district is subject to this inflated rate.

2.3 recalls last meeting there was discussion on \$700,000 cap to get around the prevailing wage question and not having to utilize language of reimbursement. he thought the board agreed to eliminate the \$700,00 language and return it to the former language. Now he sees the \$700,000 cap and is requesting clarification. Hoffman recalls that McGowan understood that the credit would be subject to a cap.

Kierce recalls McGowan said to get rid of the cap. McGowan will look back at notes to confirm removal of cap. Coughlin has additional minor revisions which De Lisi has accepted.

Kierce summarizes that the entirety of the agreement with the exception of the \$700,000 cap is agreed to by the board and those changes that were sent by Hoffman. and the 3 out of 4 are agreed. The only item remaining is the \$700,000 cap.

Kierce makes a motion to accept changes discussed. McGowan would like to see the final version before making a motion De Lisi will make the changes discussed and send to Attorney Hoffman.

No vote today. Next meeting for CJC is Tuesday, August 31 at 10am - just CJC



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Rob Scott and Scott Papa to discuss the Tupelo road pump station.

Coughlin solicited Rob Scott and Scott Papa to get a detailed quote for the tupelo road pump station.

Rob talked with Michelle regarding the rotary drum thickener and was hoping to get the bid out Friday.

Budget is approved for \$200,000 but the cost was about \$140,000

McGowan requests Scott and Papa to prepare an update of the plant condition at the next sewer meeting.

Kierce updates on sewer projects coming on line: CJC; harbor project and another 14 units coming on line.

3, 9 and 15 Diab Lane: Matt Shannon, Matthew Smith, Elle Feldman (3 Diab Ln), Kerry Johnson (K&E construction)

As a point of clarification Attorney Hoffman should state what happened in January to date

Hoffman: commission is discussing the grandfathered connection that has been extended numerous times. The drop dead date was September 16, 2021 to connect to sewer then the grandfathered fee would apply, but if connection made after September 16, 2021 then the prevailing cost to connect applies.

Kierce recalls that Sawchuk was person who specified a full connection based on the history. they all agreed that these were not going to be floating permits forever. And that these properties would have to be fully connected by the 16th of September 2021.

McGowan points out that these permits have been unfinished for long period of time and it is not fair to other applicants. So a date to connect was set.

Kierce responds that sewer commission is trying to stop sewer permits from becoming a commodity.

Sawchuk refers to the letter dated May 15, 2019 from a part time employee that was wrongfully circulated because it was not of the opinion or the vote of the board.

So further clarification for anything prior to the last meeting was stated that it had to be physically connected by the 16th of September 2021.

Hoffman proposes a motion to put on the table for further discussion.

Shannon: all the discussion up until July was that construction was to begin by September 16, 2021. All the meetings, the vote taken and the letter that was prepared by attorney everything stated that construction to begun - never talked about connecting.

McGowan reaffirms that the properties have to be connected to sewer by September 16, 2021.

Sawchuk was specific that the connection had to be made inside a foundation.

Shannon asks that the board go back and watch the tapes to see what was discussed and you will have to stick to it - it's the fair thing to do. Every discussion was based on to start construction not to be connected. Discussion to connect to sewer was never done in public and it violates the open meeting law. Shannon says the board is changing the terms of the agreement that was voted on.

Sawchuk asks Shannon what his idea of beginning construction means?

Shannon responds: when a machine goes into the ground it is starting construction

Sawchuk asks if Shannon has a building permit?

Kerry Johnson says in her 25+ years of building for most towns, activity on lot such as silk sock and tree clearing is start of construction. Never had been in a town that the start of construction is sewer and pipes in foundation. Never attached water / sewer to a house before the frame.



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Kierce: we sent you a letter that says you need to connect. Shannon responds that the letter is inconsistent with what was agreed upon.

Add to agenda for next meeting.

For Clarification Attorney Hoffman proposes a motion with respect to the grandfathered connection fees assigned to the lots at 3, 9 15 Diab Lane the board hereby confirmed that as previously voted that the grandfathering connection fee will expire on September 16, 2021. Any of the Diab Lane lots not fully connected to the Cohasset sewer system by that date will thereafter retain the right to make such connection to the sewer system upon payment of the then current connection fee.

Sawchuk: so moved; Kierce seconds; McGowan Third; All in favor.

Kierce says the sewer commission will look at Mr. Shannons comments today and will review meeting minutes, review the letter and confirm with building inspector of what was told to Mr. Sawchuk to come up with some synopsis of where it stands.

Shannon says its important to look at the letter provided by his attorney, which says he would pay the \$2,100 per lot application fee and construction will start. Totally inconsistent. Johnson points out they never had to do this when Bob Egan was the building inspector.

McGowan suggest to continue discussion at the next meeting.

Elle and Sabastian: buyers came into this not knowing about this. they are asking the Commission to take into consideration that they are new buyers and can't afford the current connection fees.

Shannon tells the board he is going to prepare a document that lists all the times this was discussed during meetings and what was discussed. He wants to know how it was decided and when it was decided about the connection vs start construction. He suggests it was something that was done behind closed doors. In meeting minutes it says Mr. Shannon agreed to be connected by September 16.

Shannon says if you look at the tapes you will not find him saying this in any meetings and he is at a loss as to how the board is dealing with this. Its such a fair request for board to go back and review the meeting minutes.

McGowan excuses himself from meeting.

Kierce tells Shannon to submit his request to McGonigle

Other Business:

732 Jerusalem Road Abatement:

Diane Campedello present, however, her bill had been adjusted prior to invoice. This will be reviewed at next meeting.

Other Abatements on agenda are rescheduled to meeting in September

Meeting Adjourned: 2:19pm

MOTION: Wayne Sawchuk motions to adjourn, Paul Kierce seconds. All in favor