

**Grinder Pump Study Committee**  
**Minutes of Meeting Held on Wednesday, June 17, 2015**

**Committee Members In attendance:**

Tom Gilroy, Chairman	Dan Burke, Vice Chairman
Curtis Barton	David Foley
Peggy Dunn	Ed Safran
Bob Chevalier	
Joyce Cote, Recording Clerk	

**Not present:**

Steve Jahnle, Assistant DPW Director

**Non-Committee Members in Attendance at GPSC request:**

Jeffrey Blake, Attorney, Kopelman & Paige (Town Counsel)  
Paul Cohen, Town Manager  
Mike Vosnakis, Sewer Operations Superintendent

**Meeting was Chaired and called to order by Tom Gilroy at 7:00 p.m. -- Reminded all that the meeting is taped and broadcast live and rebroadcast at a later date.**

**Curtis Barton: Motion to approve May 20, 2015 minutes; Dan Burke second; all in favor except Peggy Dunn (abstained).**

**Dan Foley: Motion to approve June 3, 2015 minutes; Tom Gilroy second; all in favor except Peggy Dunn (abstained).**

**Tom Gilroy: A By-law amendment seems to be in order. Questioned Mike Vosnakis about the determining factors that caused an increase in costs to maintain/repair the GPs.**

**Mike Vosnakis: At beginning of project, Town did not understand what repairs would be necessary. Additional "grey areas" in terms of coverage (Town or homeowner). Erred on Town side in order to honor agreement.**

**Tom Gilroy: What can we do to control costs during FY16?**

**Mike Vosnakis: Costs should stabilize since pumps have been brought up to a certain standard.**

**Tom Gilroy: Was a Town Standard defined in the Weston & Sampson contract? Yes and it was mentioned in the RFP.**

**Tom Gilroy: Is Town Standard defined in the By-law? No. Better suited for Sewer Use Regulations (SUR).**

**Tom Gilroy:** GPs are not currently addressed in the SURs.

**Ed Safran:** Questioned Town Counsel on the difference between By-law and SURs.

**Jeffrey Blake:** More difficult to change a By-law – any change requires Town Meeting approval. SURs can be changed/updated as long as it does not contradict the By-law. By-law is used for “broad” purposes. SURs will be more comprehensive.

Dave Foley presented his “thoughts on a Town standard for grinder pumpstations” (attached).

**Tom Gilroy:** Should we make recommended changes to the By-law for Fall Town Meeting or at least reference the SURs.

**Ed Safran:** Seems that the SURs would be less controversial.

**Peggy Dunn:** Motion to recommend that we amend the By-law to reference Sewer Use Regulations. Dan Foley second. All in favor.

**Tom Gilroy:** Can SURs amendment be complete by Fall Town Meeting?

**Mike Vosnakis:** GP section can possibly be written but entire study (rewrite) may not be complete.

Reiterated that he would like clarification on Section C of the By-law where it references “appurtenances”. Also would like clarification on the word “maintained” which implies an ongoing maintenance program – GPs don’t require maintenance.

**Tom Gilroy:** Asked that Town Counsel later advise on whether we can eliminate the word “maintenance” from the By-law.

Mike Vosnakis also asked for clarity on the term “integral components.” This implies that the GPs are part of the Waste Water collection system which would require ongoing maintenance. He does not feel that GPs are an integral component of the Town’s Waste Water collection system.

**Paul Cohen:** Paul’s understanding of the By-law is that preventive maintenance should take place and that is how we have been operating.

**Dan Burke:** His understanding of the By-law was that we were to develop a solution for homeowners when pumps failed. It, however, has been “rolled out” as providing preventive maintenance and providing repairs before they were actually needed. Concerned that we have gone too far in addressing maintenance.

**Paul Cohen:** His understanding was that we were to provide preventive maintenance so that GP owners were not at any more risk than non-GP owners.

**Dan Burke:** There is a difference of opinions. Preventive maintenance is not conducted on gravity feed lines (non GP owners).

**Curtis Barton:** Can we determine timeframe in which to provide maintenance – will vary?

**Mike Vosnakis:** Not enough data currently available.

**Dan Burke:** This endeavor is costlier than originally anticipated.

**Tom Gilroy:** Questioned Town Counsel on Town's liability for a sewer backup.

**Jeffrey Blake:** Fact driven and specific. If Town is negligent in GP maintenance, there "may be liability". Each backup is unique. Many factors contribute to liability. Town has to act reasonably. Providing monitoring and safeguarding systems is a step in that direction.

**Tom Gilroy:** How many backups have we had since taking on this project?

**Mike Vosnakis:** "A handful." Unsure. Commented that there are several factors to consider before determining where liability lies. Last year there were "a handful" however previous year there were none.

**Paul Cohen:** Approximately 1/3 liability fell on the homeowner and 2/3 to the Town—although the Town may know that it was the homeowner's liability, difficult to prove. In reality was probably 50/50.

**Citizens Comments:** None

**Dave Foley** cited Marion, MA's practice of not using prevailing wage in their GP maintenance contract. Asked Town Counsel to explain prevailing wage law.

**Jeffrey Blake:** Prefaced that Contracts is not his area of expertise. However, it is his understanding that typically Towns are required to pay prevailing wage. It is also his understanding that John Giorgio, K&P reviewed the GP contract and John advised the Town to pay prevailing wage. John is highly experienced in dealing with contracts.

**Dave Foley** cited an article: Spring, 2015 edition of the Journal of the New England Water Environment Association – Ownership of pressure sewer systems, a tale of two towns by Henry Albro (FR Mahony). Chelmsford was mentioned.

**Dave Foley:** Commented that a cost benefit analysis may be necessary for the maintenance of GPs.

**Tom Gilroy:** Next meeting will be Wednesday, July 1. Would like to develop some concrete recommendations to take to the Board of Selectmen.

**Peggy Dunn:** motion to adjourn. **Dave Foley** seconded motion. Adjourned at 8:30 p.m.

*Dave Foley  
handout*

**Some thoughts on a town standard for grinder pumpstations from Dave Foley :**

- 1. The sewer commission over the many years of the sewer construction developed several different town standard grinder pumpstations to be used for the several different phases of the sewer construction**
- 2. If we develop a new town standard for grinder pumpstations in Chelmsford it should apply for new construction but existing grinder pumpstations which meet the standards for the phase in which they were constructed should not be required to be modified or replaced in order to meet a new standard.**

**Some thoughts on homeowner responsibility for grinder pumpstations**

- 1. To provide access to the control panel**
- 2. To keep outdoor e/one covers properly vented**
- 3. Provide proper grading around outdoor e/one covers**
- 4. Limit water use during pump breakdowns or power disruptions in order to prevent backups**
- 5. Follow proper disposal rules in order to prevent pump abuse**