

**HOLDEN BOARD OF SELECTMEN  
MEETING MINUTES  
February 5, 2024**

**6:30PM**

**Memorial Hall**

Present: Anthony Renzoni, Thomas Curran, Richard Bates

Not Present: Stephanie Mulroy, Geri Herlihy

Others Present: Peter Lukes, Town Manager  
Stephanie King, Assistant Town Manager  
Steven Madaus, Town Counsel  
Liz Fotos, Town Recorder (Participating remotely)

Sel. Bates called the Board of Selectmen meeting to order. The Board stood to recite the Pledge of Allegiance.

**1. Citizens Address**

Robert Beck 14 Ferrigan Way was present. He was requesting a non binding resolution on the May 13 ballot. The citizen petition is to move the town meeting to Saturdays in order to increase participation and accessibility for all residents. He stated that they recognize that the schedule can clash with other obligations and commitments and by moving this meeting to Saturdays it can increase participation, attend and contribute. He stated that this will result in a more engaged community. He thanked the Board for their consideration

**2. Appointments, Licenses, and Permits**

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED TO REAPPOINT LENNY SMITH TO THE HISTORIC DISTRICT FOR A TERM OF 2/22/24-2/22/27 AS PRESENTED.**

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED TO APPOINT VIC SCHLITZER TO THE HISTORIC DISTRICT COMMISSION FOR A TERM OF 2/5/24-2/5/27 AS PRESENTED.**

**3. Follow Up to Citizens Address**

Sel. Renzoni suggested that they form a working group to study the pro's and con's of moving Town Meeting to Saturdays. He stated that it is fairly easy to add a non binding question to the ballot and there could be several opportunities to add this question.

**4. Water Sewer Appeal of the Sewer Commissioner**

Dave White, 84 Wachusett Street was present at the meeting. He handed the Board a saddle that they were proposing to add to the 6" sewer main that we would then connect into. He stated that the Board has all the information. He stated that this situation is before them today because many years ago when Alden Woods was put in the contractor was not required to make accommodations along the way to hook into the sewer. He stated this was typically the practice. He stated if you put in a subdivisions and you're passing houses that don't have sewer then an accommodation has to be made for house houses and it was not done in this case. He stated Alden Woods put a substation in and then a 6" line was put up Wachusett Street to Lincoln Ave. He stated that he understands that this type of connection is not the most desirable. He stated the denial letter indicated that when considering these things; cost is not a factor. He stated that he would suggest that cost should be a factor. He stated that because of the work done his property will not pass Title V. He stated that the only option would be to put in an expensive septic or to tie into the sewer line in another costly manner. He stated that he understands that DPW sent correspondence to the Board and it said that other studies should have been done with an engineer. He stated to hire an engineer it would again be costly and he does not want to incur that cost he wants to do it properly and cost effectively. He stated in the memo it stated that he was asked to do things and did not do it and that there was a documented PE to do it. He stated that the Director mentioned people that he had spoken to people and there was not any documentation for that either. He stated that is antidotal as well. He stated he was a good citizen of the Town for a long time and adding the saddle to the 6" line that goes into his house which is what is used to every water connection in the town, it would then run to property he stated there would be two valves. He stated he thinks the design of the system which was done with Graves Engineering, Mr. Andre. He stated that they don't have any in town but there is a first for everything.

Mr. White stated that it he also heard that it adds additional work to the employees if there was an emergency. He stated that if there was an emergency the town would be involved anyway and we do this sort of work for other water users. He stated he looks at this connection and says does he wish something else was available hat was cost effective; yes but there is nothing else that is cost effective

Mr. White stated that he is asking the Commissioners to take this matter into account and grant connection to the line. He stated that they have been dealing with this for the better part of two years and that for the DPW Director to ask to defer this matter until more things could be considered is not effective because there is not much more to learn.

Sel. Renzoni stated that before they go to the Citizen Advisory Board he would like to hear from the Water / Sewer Superintendent because the process as it was explained to him was that a citizen would petition a request and if it was denied it would go to the Water /Sewer Advisory Board. He stated procedurally he would like to hear from the Superintendent before the Board.

Joe Kenney, Water / Sewer Superintendent. He stated he has been doing this about 20 years. He stated the denial of the permit was not based on any deficiency or design pump curve or arbitrary decision on part of himself or DPW. The denial was because these

connection were not consistent with existing connections of the sewer system. This connection presented is not considered an industry standard and does not reflect what has been allowed to present date. Holden owns and maintains 10 miles of high pressure force sewer with sizes ranging from 4" to 12" and the sole job of the station is to convey sewage from the pumping station to a higher elevation or to a terminus manhole where it takes gravity to where it needs to go. Of these 30 pumping station there is not one residential pump connected to it. He stated on the other side, Holden has 6000 ft of 2" pvc under many roads. He stated all these homes are connected to small diameter sewer main designed to accept small motors to convey residential sewage for one home. If the infrastructure were available on the stretch we would not be here right now. He stated the appellate would have been able to connect.

John Woodsmall, DPW Director was present at the meeting. He stated he did provide a memo and was happy to answer any questions the Board may have. He stated to be clear they are not denying the applicants ability to connect to the Towns sewer system; they are denying the methodology that is being proposed. It is a design that is rarely seen in municipal waste water. He stated most of his peers had never heard of this and would not recommend it. He stated that when he started the memo there was a lot of new information and as an engineer he does not like uncertainty and his basic practice is to look at engineering standards. He stated that when he looked at standards for residential low pressure sewer to a sewer force main transmitting from a pump station he could find nothing. Nothing in NE region; nothing nationwide and nothing at the manufacturers own website. He stated he is sure it can be done but his analogy that he has been using the sewer force main coming out is a sewer highway and there is a higher level of care associated with that. The analogy is that if you have property that abuts 190 you can design a driveway that will be fine, proper lanes, site distancing, etc but if you are a single family home, MA DOT is not going to let you put a driveway onto 190 just because it would be cheaper for you to do that then doing it in some other manner.

Mr. Woodsmall stated he does not have a problem with doing new things. He stated he has asked for information along the ways that is typically asked for and that was not provided. He stated that they are problem solvers and he likes to help people but he has to keep the integrity of the system and keep in mind all of the users for the system. He stated he has a duty to protect the system. He stated as in the memo he does not recommend that the Board approves this connection but if the Board feels that this is appropriate they should require the applicant to pay to prove that this proposal would work with a third party review before issuing any approval. This will give the Board as much information as possible from a third party not affiliated with either party.

Mark Johnson, Chairman of the Water/ Sewer Advisory Board was present at the meeting. He read a memo into record that was sent to the Town Manager on January 29, 2024. It outlines when the application was made and denied in addition to when the applicant appealed the decision. He stated after a lengthy conversation and presentation a unanimous vote was taken by the Water/ Sewer Advisory Board to recommend to the Water/ Sewer Commissioners to uphold the denial decision.

Sel. Renzoni asked about the water pressures and what the Advisory Board discussed about those numbers.

Mr. Johnson replied that he could not speak to those numbers.

Sel. Renzoni asked if the Water/Sewer Advisory Board discussed those numbers or the pressures involved. He asked if anyone disputed the applicants numbers as to whether the pressure was high.

Mr. Johnson replied that he did not believe any of the numbers were disputed but that whether or not they were high was a subjective question.

Sel. Renzoni asked if Mr. Johnsons' opinion was that 20PSI was high for industry standards.

Mr. Johnson replied that that it could get into triple digit numbers but that they were also speaking about different materials.

Sel. Renzoni asked if they considered the pressure of the line when dealing with this application.

Mr. Woodsmall replied that a lot of the terminology was subjective. He stated that it was high in a municipal sewer system but in the grand scheme of things they could have triple digit pressures. He stated that it was the high pressures in the force main verses the low pressures coming out of the pump chamber of the residential system. He stated there was a differential there. He stated that he believed the pressure coming out of the residential systems were closer to 3-5% so there was a difference.

Sel. Renzoni stated that he wanted to make a few points. He stated that in theory, his opinion is that it is his job is to take care of the residents. He stated the other side of this conversation was the water piece. He stated that there are a number of residents with brown water and they are spending a bunch of money, time, and effort on correcting that matter for a very few customers. He stated it's the hard ones that need to be taken care of. He stated the philosophy is to be accountable to the people even when it's hard. He stated it is their job as Selectmen to articulate the risk and being willing to accept risk. He stated their job is to understand the risk and see if they are willing to accept that on behalf of the town.

Sel. Bates asked about the reference made to a policy from 15 years ago; he asked if it had been updated at all.

Mr. Woodsmall replied that it had not been to the best of his knowledge. He stated that as an engineer he went to standards because he wants to mitigate risk and learn from others mistakes. He stated that is how the standards and rules come about. He stated he's happy to be cutting age but does not want to be the guinea pig. He stated that is part of being a conservative DPW Director.

Sel. Bates asked about the people in Oxford and if they had any failures with this system.

Mr. Woodsmall replied that the person he spoke to had told him that these systems predated his time there and that once one of these were approved other people wanted to be approved for the same type of things. He stated that the person that he spoke to told Mr. Woodsmall that he “lived in fear of these systems everyday.” But that nothing had been happening yet.

Sel. Bates asked if other communities besides Oxford had these hook ups.

Mr. Woodsmall replied he was unsure but possibly Fitchburg. He stated that he had never experienced these in his career in municipalities or in the private sector. He stated that he had spoken to 8-12 different people about this situation.

Sel. Bates asked if he had heard about any failures in Fitchburg.

Mr. Woodsmall replied that he had not spoken to anyone to know that.

Sel. Renzoni stated the applicant alluded that we had provision in water/sewer regulations to allow for this sort of tie in.

Mr. Woodsmall replied we do not. He stated the only line in sewer regulations is any connections pressurized has to be reviewed and approved by Superintendent of Sewers.

Sel. Renzoni asked about the definition of low pressure versus high pressure.

Mr. Woodsmall replied that low pressure is usually 5 PSI less and sewers that are in pressures are 3, 4.5 x greater than that.

Sel. Renzoni asked if there was an actual number as they were speaking about engineering.

Mr. Woodsmall replied there is not a chart that says that.

Sel. Renzoni asked for the factors that defined what would be low pressure / high pressure in town.

Mr. Woodsmall stated that in our town a residential grinder pump is low pressure and anything coming out of the sewer force main station is high pressure.

Sel. Bates stated that Mr. Woodsmall mentioned two publications the TD 12 and E1 and stated that they were silent on these matters. He stated that if Oxford and Fitchburg had these systems how would their engineers view this and do this if they had the same publications that our DPW had access to.

Mr. Woodsmall stated that he could not answer that. He stated that the person that he spoke to in Oxford had those systems predating him and in Fitchburg he had not spoken to anyone.

Sel. Renzoni stated that the Director had it right; there were policies that predated them all. He stated the applicant has predated infrastructure outside of his house and now its necessary for him to deal with it. He stated that the Board is going to need to come back to decide if they were willing to take on that risk.

Mr. White stated that he wanted to address two things. He stated the analogy about the driveways onto the highways is prevented by MA Highway Standards by saying its not allowed. He stated that item 31 in Sewer Regulations says sewer will not be allowed "without permission from the Superintendent." He stated therefore a ruling that were getting now is arbitrary. The only answer is that we have not done it before. We don't know what the harm is to the system. He stated in the comments submitted it says the pump they are using is higher pressure then what is coming from the town. He stated there will also be valves in to safeguard it. He stated he had not heard what the harm would be.

Sel. Renzoni stated that was the question; what the harm was. He stated the questions were what the risk of cutting the pipes were and how the valves worked.

Mr. White stated he thinks the denial was arbitrary.

Sel. Renzoni stated that in fairness; the town pays the professionals for their opinions. He stated that there are times that it was going to be subjective and they have to air on the side of caution to protect the town. He sated that there is a process in place for appeals. He stated we do appreciate our professionals and their protection of the town.

Mr. Andrade, Graves Engineering was present as Mr. White's engineer. He stated in general for a pump station to gravity sewer it only has to overcome the change in elevation and a friction loss. He stated when you are pumping force main to force main you have to do those town and then the existing pressure in that pipe. He stated the pump station in that line has to be at a higher pressure to overcome that or you're not pumping water. He stated this pump station is slightly higher then existing in the neighbor of 20lbs per square inch at the point of connection. He stated he understands the trepidation of the Town with this being new. He stated there are full engineering documents that were provided to the Town but that his firm would not design something questionable. He stated they have done over a dozen of these in Oxford since 2005 and he has heard no issues. He stated they are all very similar to what Mr. White is asking to do.

Sel. Renzoni asked if they still have a relationship with the Town of Oxford.

Mr. Andrade replied he did not have a relationship with the current Director.

Sel. Renzoni replied that the (former) Director of DPW in Oxford lived in fear of these connections everyday; he asked what the fear would be if he was speculating.

Mr. Andrade stated that they never expressed a fear to him. He replied that they could prefer a different connection but that these have been approved and have shown longevity by being in working order for nearly 20 years.

Sel. Renzoni asked about the life expectancy.

Mr. Andrade replied that it was mechanical so there were parts that should be replaced and inspected by qualified people and maintenance should be done.

Sel. Renzoni asked about the risk. He stated they are cutting into a pipe and making a weak point.

Mr. Andrade stated there was no more than a water service except less pressure.

Sel. Renzoni asked for the Towns engineers to weigh in about the risk and engineering.

Mr. Woodsmall stated that what it comes down to is that sewer is not water. When there is a water failure it runs into basin and is fine. The water is shut off with mains not individual services. He stated if there was a sewer force main break of this type it is raw sewage that is coming up and it becomes a public health hazard. He stated that other agencies would have to be involved and they would have to notify DEP, DCR, the Board of Health and a public notification to media would have to be made. The Town can not shut off a sewer force main. They have to bring in pump trucks so the level of involvement is much greater than a water main break. He stated in this case they would have to shut off the force main and the service.

Mr. Woodsmall stated that the residential force main would be operating differently because of the psi difference.

Mr. Woodsmall spoke about some of the previous sewer issues the town has had.

Mr. Kenney stated that with regards to the risks the station they are talking about South Wachusett Street is responsible for all of Blair Drive, over 100 years. He stated that they have not had an issue with that pipe. He stated one reason they are looking at this as unconventional is because they are disturbing a piece of pipe and it is going to create a weak point. He stated that sewage is acidic and it will start to attack that point and weaken it.

Sel. Renzoni stated that the system is just a series of connection that touches sewage.

Mr. Kenney replied it was not. He stated there is no branch or y. It leaves the station and goes to Wachusett Street.

Sel. Renzoni asked how many failures there were out of 100 connections.

Mr. Kenney replied many on the water side.

Sel. Renzoni asked if they were not protecting the system how comfortable would they be to put a fitting on like this. He stated they make this piece of technology for this purpose. He asked if they were not in charge of protecting the system would they not use this because the rate of failure was too high.

Mr. Woodsmall stated the probability of failure was probably 1%-5% but a lot depends on external circumstances not just the piece of equipment. He stated one issue with sewer force main one thing has to be considered is that they don't want sewage to sit for too long and one issue with force main is if the timing is off there could be issues. He stated there is always a risk when tapping into the system.

Sel. Renzoni asked what the life expectancy of the forced sewer main in the road in front of the property.

Mr. Woodsmall replied generally 75 years.

Sel. Renzoni asked about the fail rate and life expectancy from Mr. Andrade's perspective.

Mr. Andrade replied that he could only speak to his experience and he has 20 years doing these and there have been no issues. He stated that he agrees about 75 years.

Sel. Renzoni asked about the rubber gasket being the place where the system failed.

Mr. Andrade replied some of that has to do with construction but twenty years in and there have been no issues.

Sel. Bates stated that the town did research. He asked where Mr. Andrade found his authority to do these.

Mr. Andrade replied that they are correct there were not any design specification but they (Graves Engineering) did extensive research when they began this over twenty years ago.

Sel. Renzoni asked if technology had evolved.

Mr. Andrade replied that it was still very similar and the procedure was the same.

Mr. Woodsmall stated that regarding the risk and the harm that this presented was looking at one individual connection there would be low risk. He stated that what happens is once you do it once more present themselves. He stated there is 10.5 miles of force main, once one occurs he can't say no to anyone else. He stated that they can revise the regulations and prohibit them but that if they let one then more will come.

Sel. Renzoni stated this process is in place because they let the professionals decide and then an appeal process can happen. He stated the discretion is still there for the Board to review case by case.

Sel. Renzoni stated that they have to find a way to get to yes so he asked Mr. Woodsmall how they could get there.

Mr. Woodsmall replied that the yes is to install the same chamber in front of the property with a grinder pump and he installs plastic pipe that runs along the road shoulder and runs it 350ft to the east to the closest gravity sewer man hole. He stated other people have done that in the past.

Sel. Renzoni asked how many people have done this.

Mr. Woodsmall replied that he could think of one. He stated there are E1 connections all over town. He stated the hardship that we are speaking of is the manner of the connection not the ability to make the connection to the system or to install a title v sewer system. He stated that property is no different than the other third of the town on Title V. He said everything done in public works there is nationwide standard put to it; this does not have standards. He stated as a public official he cant recommend doing something without standards.

Sel. Renzoni stated that this was getting to no not getting to yes. He asked if they are comfortable running an individual sewer main down the side of the road to tie in.

Mr. Woodsmall replied they were.

Mr. White replied that option would cost \$40,000 and he has a quote and this connection would be \$12,000-\$13,000.

Sel. Curran asked if DPW ever requested the applicant get a third party review of what was being proposed.

Mr. Woodsmall replied it was not; this was a new request. He stated if the Board is seriously considering moving forward with this then a third party review is what he would suggest.

Sel. Bates asked what that would cost.

Mr. Woodsmall replied probably about \$3,000-\$5,000.

Sel. Curran asked if the same saddle would be used for water and sewer.

Mr. Woodsmall replied that it would be the same type of connection but that particular saddle is not something that they use as they do something different now. He stated this configuration is not foreign to him though.

Sel. Curran asked if the saddle would be made from different material because of the corrosive nature of sewage.

Mr. Woodsmall replied it was typically made from the same material.

Sel. Curran asked if the system would be able to sustain itself with the added pressure if more people did this.

Mr. Woodsmall replied that everything would be incremental there is the question about capacity and they do not know about the downstream impact.

Sel. Renzoni stated that he wanted to table this matter because he wants to send some questions to the town professionals through the Manager. He stated that they should also feel free to reach out to the applicant so they could have as much information as possible before they take off the table this issue. He asked for a meeting or two.

Sel. Bates stated that he supported that.

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED TO TABLE THIS MATTER UNTIL THE MARCH 4, 2024 BOARD OF SELECTMEN MEETING.**

#### **5. Town Manager Update**

See Attached

#### **6. Warrant for Presidential Primary**

Mr. Lukes stated that just required a signature.

#### **7. Selectmen Minutes**

None

#### **8. Selectmen Miscellaneous**

The Selectman thanked everyone involved in the EJ ice rink.

#### **9. Selectmen Subcommittee**

Sel. Renzoni stated that the Inclusive Park Committee was meeting on a regular basis and they understood the state of the budget restraints even if they were disappointed in it. He stated that this is going to give them time to fine tune it before it went to Town Meeting.

Sel. Bates thanks the Committee for all their hard work and dedication.

Sel. Renzoni stated that the Master Plan has said that we need more recreational facilities and they charged the Manager with doing it and he has worked hard to accomplish this goal.

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED TO ADJOURN THE FEBRUARY 5, 2024 BOARD OF SELECTMEN MEETING AT 8:33PM.**

APPROVED: 4/1/24