

**BOARD OF SELECTMEN / SEWER COMMISSIONERS MEETING**

**Wednesday January 26, 2022 – 5:00 PM Hybrid**

**Richmond Town Hall, 1529 State Rd., Richmond, MA 01254**

**PRESENT:** Neal Pilson, Chair; Roger Manzolini, Selectman; Alan Hanson, Selectman; Danielle Fillio, Town Administrator; Dick Stover, Sewer Advisory Cte.; Andy Kay, Sewer Advisory Cte.; Peter Cohen, Board of Health; Doreen Donovan; Holly Stover

Neal called the meeting to order at 5:00 PM and turned the floor over to Roger who outlined the purpose of this meeting:

Doreen Donovan, a resident of Richmond, has recently purchased a lot adjacent to her current property with the intention of preserving it with a conservation deed restriction to avoid building on that lot in perpetuity. That deed restriction would afford her an exemption from payment of the Sewer Betterment payment for that lot.

A discussion of that request was held at the previous meeting of the Board, at which time, Dick Stover raised an objection to approval based on his anticipation of an increased financial burden on the remaining lot owners.

Roger read the original bylaw concerning the Sewer Project which included the following:

“Paragraph 3 Section 7.1 of the Sewer Regulations, now in effect: Under “Undeveloped Lots” reads: “An owner, Board of Directors or similar entity with control of an undeveloped lot (i.e. Doreen Donovan) may enter into an enforceable agreement with the Commission whereby the owner shall record on the deed of an undeveloped lot in the Registry of Deeds, a conservation or deed restriction or similar instrument acceptable to the Commission that prohibits the construction of a dwelling that would require sewer service. There will be no assessment for Betterment.”

There was a discussion of what, if any, financial impact the loss of the EDU will have on the remaining lot owners that included some consideration of offsetting any such impact by increasing the assessment to Camp Russell.

Roger then read from Paragraph 2 of the Regulations that would permit a reassessment of the Camp’s payment:

“Non-resident buildings and users (Camp Russell) will be assigned a Water Consumption Volume by the Board of Health, based on Title V of the State Environmental Code with minimum requirements for sub-surface disposal of sanitary sewage, such assignment to take into consideration the number of days per year the “camp” operates and the number of

persons served by the “Camp” and the nature of the usage. The total number of EDU’s will be prorated using the foregoing factors.

The “Camp” shall enter into an enforceable agreement with the Commission limiting the use of said facility in order to ensure that the uses are consistent with the water consumption determination, which will be reviewed on an annual basis. The Commission may assign an increase in the number of EDU’s if the water usage exceeds the assigned amount. The “Camp” shall not be assessed less than 1 EDU. “

It was Roger’s opinion that the loss of one EDU would have very little impact on the remaining homeowners. Dick Stover then remarked that approving this request from Ms. Donovan would open the door to similar requests from all the other property owners with similar situations.

There was an extensive discussion to determine how many similar situations exist. Both Neal and Roger agreed that, whatever the financial effect may or may not be, Ms. Donovan is exercising a right conferred to her in the Regulations.

Andy Kay approached the Board to report that his research and information has shown that not only will there not be a shortfall at the end of the term of the project, but that there is an anticipated surplus of over \$1 million. He has asked Bob Gniadek, Chair of the Finance Cte., to run the numbers again and confirm his finding.

There being no further discussion of the issue, Roger moved to approve Doreen Donovan’s request for an exemption to the Sewer Betterment Assessment in consideration of her adding a conservation deed restriction to the lot, which will render it unbuildable as provided in the Regulations. Neal seconded the motion, which was adopted by unanimous vote.

Roger asked that several action items be noted:

1. Regain full membership for the Sewer Advisory Committee, using recommendations from Dick Stover and Andy Kay.
2. Assign a research project to perform a financial analysis to make perfectly clear what happens financially at the end of the 30-year loan.
3. Have more and clearer data available at the next Sewer Advisory Cte. meeting.
4. Have the Board of Health reassess the Camp Russell payment with an eye toward increasing either the number of EDU’s or the O & M fee.

Holly Stover remarked that any increase to Camp Russell’s expenses should be done very carefully as they are always in financial straits and any sudden financial burden may cause them to fail and close.

Peter Cohen told Roger that if he wished to pursue the sewer financial situation with the BOH he should come to its next meeting on Tuesday at 5:00 PM. He added that Roger should come late so that he didn’t have to wait and waste his time.

There being no further business before the Board, Alan moved that the meeting be adjourned. He was seconded by Roger and the motion passed by unanimous consent.

The meeting was adjourned at 6:00 PM

Signed:

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Neal Pilson, Chair