

TOWN COUNCIL MEETING MINUTES
Public Works Committee
Town Hall Council Chambers
November 10, 2015, Tuesday

Present: Arthur Mathews, Chairperson
Edmund Harrington, Vice Chair
Thomas J. Lacey, Councilor
Michael Smart, Councilor

Also Present: Kenan Connell, DPW Director
James McGrath, DPW Engineer
Joseph Cardinal, National Grid
Ellsworth Andrew, National Grid

Absent: Robert Conlon, Councilor

Recording Secretary: Mary Barker

Chairman Mathews called the meeting to order at 7:04 PM. Councilor Conlon was absent due to a prior work commitment.

Utility Work Road Review

- **Notice generation to homes in proximity of work**

Chairman Mathews noted he has been asked by constituents and abutters why advance notification isn't provided before utility work begins. He invited Joe Cardinal to review National Grid's policy. Mr. Cardinal clarified that National Grid doesn't have sufficient staff to solicit new service customers. Anyone requesting new service or replacement of pipes has to wait until the backlog is cleared. National Grid is currently working on a directive to replace existing steel pipe. Chairman Mathews asked if the customers couldn't band together to get work done at the same time and possibly at a discounted rate. He suggested that National Grid send out an informational mailer with sales department contact information; it might go a long way. He is thinking of the neighbor who has to bear the cost of a hookup alone, when it might be able to be bundled. Mr. Cardinal responded that he will bring the suggestion back to the marketing department. He noted that pipe replacement is a major priority and they are scaling back on everything else. Crews have been redistributed under a 20-year commitment to replace pipe.

Vice Chairman Harrington suggested that they aren't requesting a major offering, but if they are putting in a line anyway, and a few other neighbors might want to be asked, why not approach them? He understands prioritizing the needs, but it can't be that big a number that it would negatively impact the work.

Councilor Lacey suggested that it is a resource issue. He suggested with falling gas prices, the interest is there to hook up.

- **Discussion of Patriot Ledger article entitled "Thousands of Natural Gas Leaks Go Unrepaired"**

Chairman Mathews cited the recent article in the Patriot Ledger that reported on many unrepaired gas leaks throughout the state, most notable on the South Shore and a particularly high number in

Weymouth. He noted the number in Weymouth is quadruple other communities except Quincy, and some of the leaks go back to 1990. Mr. Cardinal noted that Weymouth and Rockland have some of the oldest pipes in the state, and many on the list are repeat leaks. They reviewed the map of the locations.

Councilor Lacey asked why Plymouth, which is a much larger town than Weymouth, has fewer, and Mr. Cardinal responded that the installation differs; pipe is laid in sandier terrain along the coast, and it's a newer system. Last year's snow compaction kept frost in the ground and leaks in check.

Mr. Cardinal noted that he wasn't sure the article was accurate as related to the numbers and when they culled the data and took out the leaks that were already addressed, the number is down to 413 leaks in Weymouth (as of last night). There were zero grade ones (requiring immediate repair) until today, when a leak opened at 95 Broad Street in front of Union Towers. He reviewed at Councilor Lacey's request how it was determined to be a grade one by the volume of gas- 12% reading- detected in the storm drain.

Ellsworth Andrew reviewed the utility's grading system. A grade one is determined by volume of gas and requires immediate repair; grade 2 and 2A require repair within a year. The remainder require monitoring, but not an emergent need to be changed out.

DPW Engineering group is working with National Grid to put a list together of streets that they can change out in conjunction with paving projects. The DPU has mandated a 20-year plan to change out 63 miles of pipe and the work is in year two. Because of public outcry, the work is accelerated. Five miles have been replaced this year; 28 miles have been completed in total. Chairman Mathews noted from the list that there are eleven grade 2 leaks in town that have to be repaired within a year. Councilor Lacey asked who monitors status and questions if they are self-managed. Mr. Cardinal responded that they have to report to DPU.

Vice Chairman Smart asked what the flash point is on a grade 1 leak- and questioned if a spark could ignite it. He also asked how the leaks affect pricing to the consumers. Mr. Andrew noted most of the gas lost is at the meter. If the calibration is off by one or two percent it's huge, but usually the meter is slower; not faster, so it benefits the customers.

Chairman Mathews stressed the importance of performing the gas replacement work in conjunction with paving work-it is paramount. They do not want to see gas work done after a paving project is completed. Mr. Ellsworth responded that they will try to work with the list. Councilor Lacey noted that they have seen better coordination between the department and the utility. These are among the top five complaints the Council receives from constituents. He recommended they continue the dialog and the cooperation. Kenan Connell noted that with the number of projects on the list and the cutoff looming with dropping temperatures, there is a lot to do to keep on schedule. If the weather continues mild they will attempt to keep going, but with a year like last year, it wouldn't be possible.

Vice Chairman Smart noted the work in Jackson Square looks very nice. The cuts are straight and he urged they continue to work with contractors who will do a good job. The only negative is that the utilities weren't laid straight back when they were first installed; they don't run parallel to the roadway.

Councilor Lacey suggested it is accountability and oversight; they get frustrated along with the residents with the number of potholes when work isn't done well. He thanked them for the work

in the Idlewell area. At a neighborhood meeting last week, a complaint by a resident was responded to quickly.

- **Discussion on DPW's memorandum regarding Code of Ordinances section 8-401 (Excavations)**

Chairman Mathews referred to the correspondence dated August 6, 2015 regarding a review of the ordinances relative to street openings and trench work from Kenan Connell. Mr. Connell noted that the Mayor appointed him to the Ordinance Review Committee, but they haven't met yet. He will bring comments back from this discussion when they do.

He intended his memo to be viewed as initial discussion. He believes some of the language doesn't belong in ordinances but could be better spelled out in DPW regulations- specific requirements/ standards of design. He understands there were reasons for it and agrees with addressing the issues, but the proper placement should be with rules and regulations. Jim McGrath agreed with these being in the DPW regulations.

Vice Chairman Smart responded that they don't want to take the 400 section and get rid of it in its entirety into the regulations. Jim McGrath responded it should be just the standards. Vice Chairman Smart responded they doesn't want to abandon it; the intent was to help the town DPW and the Director to get the utilities to work better together.

Chairman Mathews reviewed the genesis of the ordinance, which was a result of efforts by the former DPW Director Bob O'Connor, Chip Fontaine and with a public hearing process-there was no objection to the language at the time. When it passed, they held a meeting with National Grid and they did not agree with the language; that it was too stringent. Other towns with similar language considered too stringent for the DPU regulations were legally challenged. At that time, they created a list of streets and conditions. The issue was put to rest for a short time, but they were back to it again last year. Each Councilor was asked to make observations within their districts. The language included a 120-day requirement as a way to afford the town some protection. Tweaking to change it by taking out specific language and incorporating DPU language and one year warranty to the original conditions; there are some things that aren't being adhered to. Sniff holes aren't filled and aren't treated to prevent water infiltration.

Chairman Mathews suggested he personally wouldn't want to see changes take place at the level of the Ordinance Review Committee, but should remain with the legislative body; they want to have something that can be enforced and included in permit applications. He asked if this discussion should be moved to the Ordinance Committee. He would want to be sure the entire Town Council has some part in the discussion and change. Mr. Connell responded that construction specifications should be dealt with within the DPW regulations and enforcement component at the ordinance level. A similar issue was handled with the Animal Control officer language incorporated into an ordinance. They need to be cognizant of enforceability. He suggested they continue the discussion and review the actual specifications. Mr. Connell responded that they may need to develop rules and regulations specific to roadways.

Chairman Mathews stated that DPU Regulation number 98-22 for all utilities gives municipalities the right to suspend permits if a utility is not adhering to putting the roadway back to its original condition. The submission is a good starting point. Mr. Connell noted that he has marked the ordinance up with his comments and recommendations and suggested that they all take the chance to review and come back to discuss.

Chairman Mathews will discuss with the Ordinance Committee Chair. Councilor Lacey reviewed the history and why the Council felt it was necessary to take an aggressive stance in 2010. Wherever the language ends up, the purpose is to set an expectation, and expect accountability and they have gotten away from it. He suggested they continue to work in session and press the cooperation. Be sure where it is, that there is an accountability checklist. If it is done correctly, it will last a long time.

Jim McGrath noted they met with National Grid twice since the last meeting and provided a list of streets and asked for help. They have agreed to fix 31 streets and half are completed as of now.

Councilor Harrington noted that he is cognizant of his limited knowledge on this, and that there might be limitations at the working group as well. He feels that if they are going to have enforcement, they will have to get support from the administration. Mr. Connell responded that maybe their efforts will result in something that will be supported and put forward by the administration.

Chairman Mathews noted that per the town charter, a review of the town ordinances is required every five years. Vice Chairman Smart agreed and suggested leaving the work in committee and make a recommendation to the Ordinance Committee with co-authority from the administration. Chairman Mathews thought the last time 98-22 was updated was 1998-- but he will check. He will report out to the Council on this meeting and confer with the Ordinance Committee chair before scheduling another meeting.

ADJOURNMENT

At 8:16 PM, there being no further business, a motion was made by Councilor Lacey to adjourn the meeting and was seconded by Councilor Harrington. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Chairman Arthur Mathews

Voted unanimously on 30 November 2015