

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
EMERGENCY MEETING, THURSDAY, FEBRUARY 19, 2015
Town Manager's Office, 4th Floor Town Hall,
109 Front Street, Winchendon, Mass.**

Present:	Fedor Berndt, Chairman Elizabeth R. Hunt, Vice-Chair Robert O'Keefe	James M. Kreidler, Jr., Town Manager Linda A. Daigle, Executive Assistant John Deline, Supt. of Public Works
Absent:	Keith Barrows	

List of Documents Presented at Meeting:

- N/A
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Chairman Berndt called the emergency meeting to order at 11:36 p.m. with the Pledge of Allegiance to the Flag of the United States of America. The Emergency Meeting was not aired live on local cable access channel 8.

NEW BUSINESS:

Frozen Water Main Pipes - Kreidler explained the reason for the emergency meeting this afternoon. In all of his fifteen years here he has not seen weather conditions that we have been seeing. There are eight or nine water services that are frozen rendering people's homes inhabitable and given what's going on statewide with the weather and finding a contractor that has the capability first and then the time to have them come to address these things has been problematic for residences to get it done. Just this morning a quote was received of \$16,000 from a private contractor to restore water to a home owner. Prior to John Deline's tenure as Supt. of Public Works we've come to understand that the Public Works Dept. would address these situations. They have the ability to work inside the home, making an effort to remove the meter, snaking in through the public service line until it hits the block and pumping hot water into the line until the ice melts and dislodges. When John came on he recognized we have regulations that provide that the service line from the main to the meter is the responsibility of the owner and stopped that practice.

The fact is we do have a public health, public safety emergency with these homes. The interest in convening you in your capacity as Water Commissioners was to have a discussion on whether or not you would have on a one-time basis for this winter in these extreme circumstances authorize the Public Works Department to provide this service again to the residences that are impacted so they are able to return to their homes. Without identify the people, Kreidler continued saying they had a Department of Child and Family Services issues where custody issues are of serious importance and the home is not habitable today where there was going to be a visit.

The majority of the residences affected were due to the pipes being shallow with some cases most likely due to ledge. O'Keefe was concerned about the problem reoccurring. Deline said they would need to run water at a trickle so it doesn't refreeze. O'Keefe asked if the Board would also then need to address

abatement to their water bills. Kreidler replied if the homeowner trickles their water, then it would be their bill and they should pay the additional water charges. In the past, running the trickle was sufficient enough but this has been an extraordinary year. He suggested in the spring or summer, the homeowner make an effort to sink the pipes lower in some fashion or provide some sort of heat element. He recommended with the extraordinary winter that the Selectmen, acting as the Water/Sewer Commissioners abate.

Chairman Berndt disclosed that he is one of the homeowners affected and recused himself from the discussion.

Kreidler read a draft motion for the Board to consider: In our capacities as Water Commissioners and as a matter of public health and safety the general public benefit that we authorize the DPW to provide assistance to residents who are currently facing frozen municipal water services and that said residents sign a waiver and release to the town and that the service be for this extraordinary winter only and that only one thawing be provided and that any and all responsibility for said water service in the future run to the owner after this one effort is made to assist during this one winter season.

O'Keefe felt with the number of homes affected climbing and the temperatures not rising that it does approach the public health issue. Hunt asked about future votes on this same issue. Kreidler replied this is for this season only, a one shot deal due to the extraordinary winter season and in an effort to get it taken care of. The homeowner needs to take effort to keep it thawed. John mentioned he doesn't have the staff to do this continuously as his workers have their work to do.

O'Keefe asked about additional overtime. Deline replied that they might work maybe until dinner time but not into the evening as they are very tired.

O'Keefe moved the motion as read by the Town Manager; Hunt seconded. By vote of O'Keefe aye, Berndt abstain and Hunt aye, the motion carried.

Kreidler stated for the record that he has consulted with Chairman Berndt as he is one of the affected services and he will not have access to this benefit until the Ethics Commission has advised it is appropriate.

Kreidler asked for a second motion stating Supt. Deline has asked for reaffirmation of the existing regulation that stipulates the responsibility of the maintenance of the service is from the main to the meter. While we have a regulation, it's unusual where the homeowner is responsible for water service all the way up to the main. Some communities they are only responsible to the meter, others to the curb stop. In our case, it runs from the main to the meter. The current regulation and accompanying legal opinion goes back to Phil Howard, Town Counsel, in 1987. Just because we are dealing with this issue now and making this very specific carve out where we are accepting some limited level of responsibility we want to be clear we are not buying the entire responsibility. In the future, they could consider changing it after further discussion and deliberation but now he was looking for them to affirm that regulation. O'Keefe so moved; Hunt seconded. By vote of O'Keefe aye, Hunt aye and Berndt abstain, the motion carried.

ADJOURNMENT: O'Keefe moved to adjourn; Berndt seconded. By a vote of all aye, the meeting adjourned at 11:50 a.m.

Respectfully submitted,

Linda Daigle, Executive Assistant