



Terri Guarino
Acting Health Agent

TOWN OF BOURNE BOARD OF HEALTH

2015 OCT 28 PM 5:01 CH
24 Perry Avenue
TOWN OF BOURNE Buzzards Bay, MA 02532
BOU Phone (508) 759-0615 x 1
BOU Fax (508) 759-0679



MINUTES June 10, 2015

Members in attendance: Kathy Peterson, Chairman; Stanley Andrews Vice-Chairman; Donald Uitti, Secretary, Galon Barlow and Kelly Mastria

Support Staff in attendance: Cynthia A. Coffin, Health Agent, Terri Guarino, Health Inspector and Lisa Collett, Secretary

1. ISWM – Dan Barrett – Update Members of the Board –

1. **MEPA Filing/Proposed Phase V** – Mr. Barrett stated typically when you go to MEPA that is like a site assignment adjustment. This is not. Mr. Barrett reads through the document to the board which states, When MEPA approved the Final Environmental Impact Report for the Bourne Landfill in 1999, it contained a condition that said any expansion of the landfill beyond Phase IV would require Bourne to File a Notice of Project Change (NPC). This condition also required ISWM to provide a detailed report of the Phase ID excavation project. ISWM intends to file this NPC by the end of June. The filing will describe current operations and future plans and will also include a notice to all abutters. The NPC will include details about our intent to develop Phase V and Phase VI. Phase V will be located northwest corner of the facility, it is intended to bring the entire top of the landfill up to the same grade thus improving the drainage capabilities of the cap. Mr. Barrett stated that the reason he is bringing this up is because it really has not been considered to date. It has not been called anything. Last winter when he was talking with the DEP about whole buildout, they mentioned what about this. They saw that this could be a potential problem down the road. Mr. Barrett stated that he did the economics on it and actually it does pay to fill it. It is not that much of a problem for them to do. When they built Phase IV, there is a leachate outlet right there that works as a cleanout. They can tie right into it. They do need to build a liner and then tie the leachate system

right into it. They would leave the cap intact and put a whole separate double composite liner on top of it again. It will require quite of bit of geotechnical review before they can get to it but it is viable and is not a bad thing to do. Certainly it will bring us up for a constant buildout. It will look a lot cleaner. Phase VI has always been in the plans. Mr. Barlow stated that Phase V is on top of Phase I. Mr. Barrett stated that was correct. Mr. Andrews asked if this means there will be no mining of Phase I. Mr. Barrett stated no. Phase ID was a huge successful project. The way they were able to get it done, savings to the town, the improvement to the environment, it was just a huge project. They immediately came back and wanted them to start mining Phase V. Mr. Barrett stated that he has his reservations. Mr. Barrett looked at the drilling blocks when they put the gas wells and there is a lot of dirt there. We are also looking at newer trash. You are going to see a lot more plastic. This makes for a higher potential for chemicals and other things that are better left undisturbed. DEP told Mr. Barrett that it is probably better just to leave it alone. It's capped. Nothing in nothing out so they are pretty happy with it intact. From an esthetic and environmental impact, there is a potential to create odor issues. Mr. Barlow asked if there would be a significant amount of space gained. Mr. Barrett stated no, not a lot. Mr. Barrett stated that they will make some money but it's only going to get them approximately 8 months of fill impact. It will be difficult financially because they have to pay to close it immediately. The liner cost will need to be paid upfront also. Eventually it will pay off and pay for itself.

2. **Phase IV Cap Project** – Mr. Barrett reads from a document submitted to the board which states, The Bid Opening for the Phase IV Stage 1 Cap Project is scheduled for Thursday, June 11, 2015. We anticipate the bid review, contract award and contract signing process to take approximately two weeks. The contractor could mobilize in the first week of July with construction beginning the second or third week of July. This is a 4.7 acre project which includes 7 vertical gas well and the associated piping. At the pre-bid being held on June 3, 2015 the contractors were made aware of the rules of excavation; no open trenches left over night, all gas well drilling has to be completed and sealed up before you leave the sight, all excavated trash is to be hauled to the working face, disposed of and covered prior to closure of the landfill each day. Contractors were also made aware of the Well Drilling/Excavation Protocol, approved previously by the Board, which has to be completed and signed off on each day prior to and at the end of each day that includes excavation and well drilling work. It is our intent

to have this project completed in late September to early October to take advantage of the fall planting season. Mr. Barrett stated he has not had any issues in past and does expect any issues in the future. Mr. Andrews asked if they will be working during the 4th of July weekend. Mr. Barrett stated no. The schedule that has been put out is pretty aggressive. By the time the contract gets signed and everyone gets a copy of it, probably will not even start until the middle of July. Mr. Barrett has already informed them they are not to start before the 4th of July holiday weekend. Typically it takes 2 weeks for them to get mobilized anyway. Usually the well driller will show up first. He will start welding all the pipes and that usually takes about one week. Mr. Barrett stated that they are aware that there is a lot of gas here. There is a horizontal collector there right now and it is getting a lot of gas. We want to get in there, finish the job and get right out. Ms. Peterson asked if they will be working 24/7. Mr. Barrett stated they will work a regular schedule unless something goes wrong and he will inform the board if anything should happen.

3. **Potential Ash Screening Project** – Mr. Barrett reads from a document submitted to the board which states, Covanta is proposing to screen bottom ash at the landfill face in an effort to recover additional metals. They would like to use our staff and equipment, they would supply the screener. In preliminary discussions we emphasized that this activity can in no way impact our ability to maintain our environmental compliance and although we see very little potential for the creation of nuisance conditions if any develop we will cease operations immediately. They have already been doing this at several of their other locations including Peabody MA. Mr. Barrett stated that the Peabody location has been very successful. It does not affect operations at all. This is an opportunity for the landfill to generate more ash. The screeners were developed in Denmark and they ship them back and forth. Mr. Barrett stated that he is about 5 months away from really talking seriously about this. They definitely want to put another on in Massachusetts so they are looking to put it here in Bourne. Mr. Andrews asked if it will be placed right in the center of the Phase. Mr. Barrett answered yes. Originally they talked about taking over the bailing building and switch to single screening and then put the screening operation in there. Mr. Barrett stated that they looked into all that and they are finding out that it is better to do it outside. They have done both and find that even in our climate, it is better to keep it outside. Mr. Barrett stated that part of their problem is moisture. They have trouble with moisture in the ash but they have that worked out with the screening company so they are ready to move

ahead. This will have very little impact on the landfill and hopefully the landfill will be able to make some money on it. Mr. Barlow stated that before this project starts, the board will want a little more information on this. Mr. Barrett agreed. Mr. Barrett stated that he has seen photos of this. It looks just like when the screen sand. There are seven containers on the bottom with urns and magnets etc. Mr. Barlow stated it is kind of like mining for gold.

4. **Single Stream Recycling** – Mr. Barrett reads from a document submitted to the board which states, ISWM is currently investigating the possibility of turning the existing Baling Building into a single stream transfer station with the possibility of accepting material from surrounding towns. Basically what is going on is that there are 4 or 5 towns down cape that are currently going to the transfer station that is getting too busy with trash so they are looking to move the recycling out somewhere else. Mr. Barrett stated that he is looking into going single stream and transport our own stuff to where ever we need to go with it. Maybe to make it a little easier if they are able to accept some material from other towns, they would pay a host community fee, they would pay the landfill staff to load it and they would pay ISWM to use their building. Again, once the landfill goes single stream they will not need the baler. Problems initially, recycling projects are typically permit exempt. The operation right now is covered under the Residential Drop off Center as a recycling and handling facility. It does not have its own separate permit. The transfer station does and the landfill does and the flare does but this building does not. It was Mr. Barrett's intent, without doing anything different, have decided to call the DEP and ask. Mr. Barrett stated that he contacted the DEP and explained that if this facility sat across the street on non-site assignment land, they would not need to do anything because it's exempt but where it sits on site assignment land, it's covered under the operating permit. So a general permit modification needs to be filed with the DEP. It's going to take a little time. Mr. Andrews asked if there is a loading facility in that building. Mr. Barrett stated that they have a loading dock outside but it's not really what they want. Mr. Andrews stated that it is typically a transfer station. Mr. Barrett stated that they do have the outdoor option if they get stuck. It would be labor intensive and you need to watch the weather. It's not the best option. What they are thinking of doing is there is a pit in the middle of the floor where the conveyer comes up, they are going to saw cut a 17 foot wide trench right off of that to a door then dig a trench down about 4 to 5 ft. and line it, black top the bottom of it and back a trailer right down into it. It will give them 6 or 7 feet below the rafters. Not an ideal situation but a low capital

investment. Mr. Andrews stated that they have discussed expanding the existing trench so you can do single streaming there. That building was designed to have another addition put onto it for that. Mr. Barrett stated that as he was saying this is a low capital investment. If it looks like single stream takes off and it needs more room then they will look into expanding that building. We have to do a business model that supports that. Right now it doesn't. Looking at 8 to 11 thousand tons right now which is 40 to 50 tons a day which really does not support a major capital investment. Mr. Barrett stated that he thinks it will pretty soon. At that point they will re-concrete the floor, build another building and do something else with that. Mr. Andrews asked what is in that building for fire suppression and odor suppression. Mr. Barrett stated that it is fully engulfed. Mr. Andrews stated that they do not have odor control in the misting system right now. Mr. Barrett stated that in 5 days it's in. It's a compressor and a couple of barrels and the misters. Just like the one in the transfer station. They do not have approval yet so. They do not know if the business model is going to work out yet but he just wants the board to be made aware of this. Ms. Guarino asked if Mr. Barrett will need a letter of support from the Board of Health. Mr. Barrett stated he appreciates that but it's one of those projects that everywhere you turn there is a stumbling block. Mr. Barrett wants to get through DEP which is first. He will need to come before the Board of Health after DEP. This is not an in depth study because this is pretty much the same operation they have been doing for the last 15 years. Mr. Barrett stated that the Town Administrator and the Board of Selectmen will also be interested in this project. Mr. Barrett stated that he feels he is being pushed back then he would like a letter of support. Ms. Peterson stated that Mr. Barrett will need a vote from the board stating they are in support not a letter of support. Mr. Andrews stated he has a concern that when they go single stream, residents are pretty good about keeping recyclables clean. Now you are talking about bring recyclables in from other communities and the board does not know how diligent they are with keeping their recyclables clean. There may be odor or other issues. Mr. Barrett stated that they had a pretty good commercial business about 6 years ago with other community's recyclables and there were no issues to report. Mr. Barlow stated that Mr. Barrett can move forward on this but he must keep the board informed. Mr. Barlow stated that the transfer station was very difficult to get through and get it built. Mr. Barlow stated that the project worked out well. This project will be the same. Take one bite at a time and work on it.

5. **Demonstration Project Application** – Mr. Barrett reads from a document submitted to the board which states, in preparation for the application process for the Anaerobic Digester we included an application and variance regarding the recirculation of effluent and condensate from the gas flare and scrubber operations. This would allow us to pump these two materials back into the landfill where it would end up in the leachate collection system. Operational benefits would include some reduction in the potential for Hydrogen Sulfide gas generation, filtration of solids out of these two waste streams facilitating treatment and more rapid stabilization of the landfill mass. If we consider this further it would only be done in closed and capped sections of the landfill. If MADEP does indeed approve this process ISWM would come back before the Board for further discussion. Should MADEP approve this they would send out a letter of approval and I did not want the Board to think we were going to go ahead and start this without further discussion. Mr. Barrett stated that they put the permit in and all of the sudden he gets approval from MADEP and the Board of Health as no idea what is being done. He just wants to make sure the Board of Health is aware of what he is proposing to do. Right now the Hydrogen Sulfide is doing really well. There have not been any complaints. It is about 90% capped. Hydrogen Sulfide, at the flare right now, is about 210 parts per million. Under 200 parts per million, it does not have to be treated at all. If the Harvest Power project continues to move forward, their gas potentially has about 1000 parts per million. It is over the 200 parts per million so they will have to scrub it but it is not that bad of a problem. They would then have a little more effluent than they have right now so this might be considered more at that point. Mr. Barrett stated he does not know if DEP will approve this project. There are a couple of projects going that have this already at landfills. The one closest to Bourne is located in New Bedford. They have a pilot project going on with an Anaerobic Digester but on a much smaller scale.
6. **Demolition Transfer Update** – Mr. Barrett reads from a document he submitted to the board which states we have been able to move a limited quantity of Construction and Demolition debris out of the transfer station thus allowing us to open on a limited basis. We will continue to pursue other avenues to try and get back to normal capacity. Closure of the Transfer Station has in no way impacted the Bourne Town Residents ability to dispose of demolition waste at the Residential Drop-Off Center. This is only affecting the commercial side. It's not a huge hit right now. Obviously he would like to be fully operational but it is what it is. There is a huge glut in this material right now. All the transfer stations are full.

Mr. Barrett stated that they are pretty conservative of what is left in the building. When ISWM had their fire, there were 5 other local fires at other landfills. Recently there was a fire at Devens Recycling which is a huge facility. So they are pretty cognate of that making sure there is not more on the floor than what they can handle. Mr. Barrett stated that he will be the board informed as to what is going on with the transfer station.

The Board thanks Mr. Barret for his general update. No action was taken at this time.

2. **6 FOURTH AVE – CONTINUED from May 27, 2015 - Request of Health Inspector, Terri Guarino – Failure to correct violations from housing inspection conducted on March 27, 2015 – Property owned by Sergio Souza** – Mr. Souza was not present at this meeting. Ms. Guarino stated that there is really not a lot to discuss on this. She has send the board pictures of the railing that he installed and obviously it is inadequate. Ms. Coffin recommended to Ms. Guarino that this be brought to the attention of the board members before the next meeting. Ms. Guarino stated that she received a letter from Mr. Souza plumbing and heating company on May 27, 2015 that stated Mr. Souza is going to continue with the work as discussed on the interior. Ms. Guarino stated she hopes the work being done on the interior is up to code. It is hard to believe that a licensed contractor installed the railing. Mr. Barlow stated that Mr. Souza needs to be made aware that the railing is inadequate. Mr. Andrews asked if Mr. Laporte has been out to inspect any of the work. Ms. Guarino stated no, not that she is aware of. Mr. Andrews stated that the contractor has the open permit and once the work is completed it is up to the contractor to contact Mr. Laporte for an inspection. Mr. Barlow would like to give Mr. Uitti the opportunity to bring the board up to speed as to what really needs to be fixed. Mr. Uitti stated that the rear door opens out. The rear can't open out without a platform there. The platform needs to be wide enough that you are able to stand on it. Ms. Guarino stated that currently the rear door does not open. Mr. Andrews stated that it is the second egress so it needs to be able to be opened. Mr. Uitti stated that the railing can't be more than 4 inches in between rails on both stairways. Mr. Andrews stated that he will need a new railing with spindles in between. Ms. Peterson stated that this is good to know because Ms. Guarino will not sign off on the permit if Mr. Laporte has not signed off. MS Mastria stated that right now the board is just waiting until June 16 because that is what the board gave Mr. Souza to complete the work. There should be no action taken right now because it is not passed the 16th of June. Ms. Guarino stated that she just wanted to let the board know what has been done and what has not. Mr. Barlow suggested that Terri contact Mr. Souza to inform him of what was discussed tonight. Ms. Peterson stated that it is not up to Ms. Guarino to keep him informed. Mr. Souza is well aware of what the board is expecting of him. Mr. Andrews asked if the pictures were shown to Mr. Laporte. Ms. Guarino stated that yes she has. Ms. Peterson stated that Mr. Souza has already subjected himself to a pretty hefty fine so it would behoove him to get it

done. Mr. Barlow stated that Mr. Souza may not know that what he has fixed is not up to code. Ms. Guarino stated that she did inform Mr. Souza's interpreter that all the work must be up to code. It was stated multiple times to both the interpreter and Mr. Souza. That is one of the main reasons why commercial or rental properties must have a licensed contractor so that they are aware of what the current codes are. Renovations to Mobile Homes are to be what they were like before or an improvement. With the interior pretty much everything will be an improvement as long as it is safe. The whole board feels everything was made perfectly clear to Mr. Souza. Ms. Mastria asked Ms. Guarino if there was any action she was looking for from the board. Ms. Guarino stated that the board already gave Mr. Souza until June 16th because that was the soonest he could get anyone out to the property. **Ms. Peterson stated that there will be no action taken as this time and this discussion was just an update to the board.**

3. **24 CENTRAL BLVD – CONTINUED from May 27, 2015 - Request of Health Agent to discuss situation regarding abandoned property – owners are George, Frank and Lauren Hitchcock** – Ms. Gibbs stated that she spoke with Mr. Laporte and informed him of the current situation and Mr. Laporte agreed to uphold their permit to get the work done. Since then some progress has been made. Mr. Hitchcock stated that he has a signed purchase and sales agreement. The sale is for \$80,000.00 with a closing date of July 6. Ms. Gibbs stated that the person buying this property is aware that there is a tax lien and that all repairs need to be up to code. He is an investor. He will come in, fix up the property and then probably sell it again. **A copy of the Purchase and Sales Agreement was submitted to the Board of Health this evening.** Ms. Guarino stated that after quickly reviewing the document, there is no date on it and it states a certain parcel of land. Should probably have a map and parcel number. Ms. Peterson stated that it is registered land so there is already a certificate on file. Ms. Guarino stated that the conversation with Mr. Laporte was the following morning as the board suggested which Thursday, May 28, 2015 was. Mr. Laporte gave them 2 weeks to get something to him to somewhat establish a plan. They mentioned to Mr. Laporte about selling the property so Mr. Laporte felt that 2 weeks was a reasonable amount of time. Ms. Guarino stated that the only thing that happened in reference to the Board of Health in that time period since we last met was a phone call from a realtor inquiring about the septic system. Ms. Gibbs stated that must have been Kinlon and Grover. Ms. Gibbs stated that they went to this realtor to see if he would give them some idea of what the property is worth. The realtor sent Ms. Gibbs and email stating he had found an investor for a little bit more money but then he would be taking his fee off the top so they would end up with basically the same amount of money. Since this purchase and sales was already signed and reviewed by their attorney, they decided to keep this first investor. Ms. Peterson asked if it was ok to contact their attorney to make sure this is all legitimate. Ms. Gibbs stated it is absolutely ok if the board contacts her attorney in fact she is meeting with him in the morning. Ms. Guarino stated that the one thing that the buyer needs to understand is that this building needs to be immediately demolished and that there are no applied conditions that this can be

rebuilt. It is going to have to have a perc test and a plot plan. Ms. Guarino stated that she does not think it will meet the 150 foot setback. Ms. Gibbs stated that the current system is not Title 5 compliant, she knows that. Ms. Peterson stated that she asked that Ms. Guarino call attorney Kilroy in the morning and she is going to send him a letter stating that the building immediately needs to be torn down and there are no implied licenses that are coming with this. Mr. Kilroy is a reasonable man. Mr. Andrews stated that his next question is the trailer and the person living in the trailer. Ms. Gibbs stated that the nephew is still living there. They are going to go to the property this evening and present him a copy of the purchase and sales agreement to inform him they will no longer own the property and he must vacate. Ms. Guarino stated that this is the season where campgrounds are now open. This trailer needs to be moved off of this property and into a campground immediately. Ms. Peterson stated that the board will not wait for the sale of the property for the Hitchcock's to take action. Officially what the board should do is start fining the Hitchcock's \$200.00 per day for the trailer. As with all fines you can ask for a waiver once everything is done. **Mr. Andrews made a motion to start immediately starting today there will be a \$200.00 fine per day until the trailer is removed from 24 Central Blvd. Owners are George, Frank and Lauren Hitchcock. Mr. Uitti seconded the motion. It was unanimous.**

Ms. Peterson stated that she would like to welcome Terri Guarino as the new Board of Health Agent.

Mr. Andrews made a motion to adjourn the meeting. Mr. Uitti seconded the motion. It was a unanimous vote and the meeting adjourned at 8:19 PM.

Taped and typed by Lisa Collett, Secretary

Kathleen Peterson

Stanley Andrews

Galon Barlow

Don Uitti

Kelly Mastria -

cc Board of Selectmen/Town Clerk