

**Sewer Commissioners  
Minutes of Tuesday, March 23, 2021  
Zoom Remote – Public Access**

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TA Tony Schiavi  
ATA Glenn Cannon

**Sewer Commissioners**

James Potter, Chairman  
Jared MacDonald, Vice Chair  
Judy Froman, Clerk  
Peter Meier  
George Slade

Others: Helen Gordon, Kathleen Thut, Mark White, Kate Roosa, Brenna Attanasio, Erica Flemming, Maria Oliva, Mike Rausch, Mary Jane Mastrangelo, Tim Lydon, Neil Langile, Catherine Walton, Fred, Jimmy

Note this Zoom videoconference meeting is being televised, streamed or recorded by Bourne TV. If anyone from the public wishes to provide public comment, they can access the Zoom meeting by calling: 1-929-205-6099, Meeting ID: 842 7844 0831 Password: 895191. If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above, or go to <https://zoom.us/meetings> and look for the Join Meeting button.

Participants wishing to speak should click the "Reactions" icon on the lower toolbar and then click "Raise Hand" in the dialog box to notify the Chair. The Chair will recognize participants. The 'Chat' keyboard feature will not be utilized for discussion or recognition during this meeting. For Participants who are calling into the meeting and wishing to speak should press \*9 to notify the Chair. The Chair will recognize participants. Please MUTE your phone/microphone upon entry.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners.

**Documents:** [Bourne Sewer Rate Evaluation](#), [Sewer Rate and Capacity Management Evaluation](#), [Draft Sewer Policy Regulations](#)

**Meeting Called to Order**

Chm. Potter called the meeting to order at 7:01 pm.

**1) Salute to the Flag**

**2) Consent Agenda**

- A. Approval of Open Session meeting minutes: 01.26.2021, 2.23.2021
- B. Correspondence

2021 JUL 16 PM 3:48  
TOWN CLERK BOURNE

RECEIVED

**Voted:** Judy Froman moved and seconded by Peter Meier to approve the minutes of January 26, 2021.

**Roll Call Vote:** Jared MacDonald - Yes, Judy Froman - Yes, George Slade - Abstained, Peter Meier – Yes, James Potter - Yes  
Vote: 4-0-1.

**Voted:** Judy Froman moved and seconded by Jared MacDonald to approve the minutes from February 23, 2021 with one edit, correct Rep Zaros name.

**Roll Call Vote:** Jared MacDonald - Yes, Judy Froman - Yes, George Slade - Abstained, Peter Meier – Yes, James Potter - Yes  
Vote: 4-0-1.

## **2.B Correspondents**

Judy Froman brought the committee and the public up to date on the correspondence.

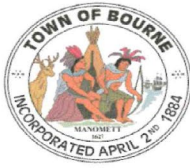
Letter from Gray Gables Association Board of Directors Kathy Fox Alfano & Beth Russell – Co Presidents, and Holly Mohre – Clerk regarding the outfall pipe into the Cape Cod Canal

## **3) Sewer Allocation**

### **A. Oak Bay Brewery (140 Main Street, Buzzards Bay) — Discussion and possible vote to revoke the sewer allocation for the Oak Bay Brewery project**

James Potter said this applicant was given allocation but didn't proceed with the project. We tried to reach the applicant three times and were unsuccessful. We had given them 3 months to come back to the Board with an update. Town staff indicated they are not interested in the allocation that was allocated to them for that address. We can revert the allocation back to the town's total allocation.

Peter Meier questioned since the applicant and property owner are two different people, what if the property owner decides they want the allocation. Does the property owner have rights to the allocation or is it specific for the applicant? Tony Schiavi said it is for the applicant; the package application was for the applicant under the applicant's business name.



## TOWN OF BOURNE

**Town Administrator**  
24 Perry Avenue – Room 101  
Buzzards Bay, MA 02532  
www.townofbourne.com  
508.759.0600, Ext. 1308



Anthony Schiavi, Town Administrator  
Email: [aschiavi@townofbourne.com](mailto:aschiavi@townofbourne.com)

January 5, 2021

Subject: Oak Bay Brewery  
140 Main Street  
Buzzards Bay, MA 02532

To: Mr. Brian Poulin  
[REDACTED]

Dear Mr. Poulin,

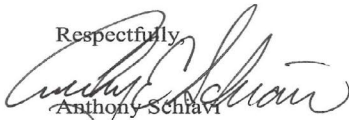
Recently, the Bourne Board of Sewer Commissioners conducted a Sewer Allocation review which includes updates on projects granted a sewer allocation (see Town of Bourne, Board of Sewer Commissioners, Commercial Wastewater Management Allocation, Section III, Subsection D).

Our records indicate that Oak Bay Brewery was granted a sewer allocation of 2,256 gallons per day (gpd) on December 18, 2019. The Board of Sewer Commissioner continues to hold this sewer allocation for your business. However the Commercial Wastewater Management Allocation Policy, Section III, Subsection D states "The Board retains the right to revoke the Preliminary Allocation if the Applicant cannot demonstrate progress, although the Board may allow for the continuation or extension of a Preliminary Allocation in the case of delays not under the control of the Applicant."

The Board of Sewer Commissioner is requesting that you update the Board relative your intent to develop 140 Main Street in Buzzards Bay. The Board of Sewer Commissioners granted a ninety (90) days extension on December 22, 2020 (expires on March 22, 2020) for an update. Should you fail to provide an update, the Board may consider revoking your allocation.

Please reach out to the Town Staff at (508) 759 – 0600 ex. 1307 to inquire about the next scheduled Board of Sewer Commissioners meeting.

Respectfully,

  
Anthony Schiavi  
Town Administrator  
cc: File

**Voted:** Judy Froman moved and seconded by Jared MacDonald to revoke the 2,256 gallons per day Preliminary Allocation previously granted to the Oak Bay Brewery at 140 Main Street.

**Roll Call Vote:** Jared MacDonald - Yes, Judy Froman - Yes, George Slade - Yes, Peter Meier – Yes, James Potter - Yes

Vote: 5-0-0.

**4) Sewer Business**

**A. DRAFT Plan of Study discussion and possible vote**

**B. Upper Bay Project discussion**

**i. Wareham Sewer Department Directional Drilling Study discussion**

**C. FY 22 Sewer Budget adjustment discussion and possible vote**

**D. Equivalent Resident Unit (ERU) System Development Charge discussion and possible vote**

**E. Sewer Policy and Regulations (Section 1 and Section 2 Adoption; Section 3 thru 9 and Appendix – 3<sup>rd</sup> Reading)**

**F. Cape Cod and Islands Water Protection Funding Allotment/Reimbursement discussion**

**G. Joint Base Cape Cod (Converge) update**

**4. A. DRAFT Plan of Study discussion and possible vote**

Helen Gordon, Environmental Partners, Mark White

Helen Gordon gave an update

- We had a pre submission call with Mass DEP, they gave us some recommendations about a few changes to the draft before submitting for review
- Went over the draft with staff
- Mass DEP suggested to make sure everything is focused on watershed basis
- There are no major changes associated with the approach and how we will conduct the project
- Mass DEP asked us to look at if we can consolidate the timeline associated with the approach and scope, we are taking a look at that

Mark White went over the outline approach for the single EIR

Mr. White said James Potter questioned if they could combine the draft with the final EIR

The approach we are doing with MEPA is

- 1<sup>st</sup> step Environmental Notification Form (overview of the project)
- 2<sup>nd</sup> step Expanded ENF

The result of that would be the request that we could perform a single EIR. That could accelerate the timelines with the MEPA review process.

We will also be talking with the Cape Cod Commission – so the MEPA review process dovetails and occurs simultaneously with the DRI process with the Commission.

The timeline is a reflection of the comments that are received from the public and regulators.

The more complete we can be with the expanded ENF the greater the likelihood we can compress the schedule.

Mary Jane Mastrangelo questioned the kickoff meeting with the Wastewater Advisory Committee, what is the status of creating/recreating the advisory committee that will work with Environmental Partners on this process.

James Potter said we are reviewing how we will put that committee together. That committee is more of an advisory committee. Would like to have representation from different areas of town. We will work with staff to get this committee started. There will be numerous public hearings.

Mary Jane Mastrangelo said public hearings are different than having public input. Stakeholder community input should be included in the discussions. Tony Schiavi said a public outreach plan will be established. Helen Gordon said in their scope of work they have an approach for public participation, which includes a number of workshops.

James Potter said part of the proposal is that Environmental Partners will meet with the Sewer Commissioners quarterly for updates, another opportunity for the public to engage.

**Voted:** Judy Froman moved and seconded by Jared MacDonald to approve the Plan of Study as presented by Environmental Partners.

Peter Meier stated because the agenda wasn't specific enough, don't feel comfortable voting on this item tonight. Tony Schiavi said the Plan of Study letter was not included on the public meeting posting.

Judy Froman withdrew her motion.

James Potter said we won't take action on it tonight; we will move it to the next meeting and make sure the information is posted so people can see it.

#### **4.B. Upper Bay Project discussion**

##### **i. Wareham Sewer Department Directional Drilling Study discussion**

James Potter said the Buzzards Bay Coalition put together a meeting with stakeholders from Bourne, Wareham, and Mass Maritime to make sure everyone is in agreement on where the Buzzards Bay Coalition is in their study. They said they would like to come back again for the educational component and a financial component of their study. Part of the discussion was that Wareham has undertaken a study for direction drilling for their outfall pipe. This is a good opportunity to let the public know more about that project. Want to clarify that Wareham cannot directional drill to MMA to use the outfall pipe without any permit process where Bourne would have a say. Buzzards Bay Coalition will be monitoring additional areas in Gray Gables

Glenn Cannon will find out when they are going to have that item on their agenda.

#### **4.C. FY 22 Sewer Budget adjustment discussion and possible vote**

James Potter said we do have some budget adjustment that will help with the rate. Tony Schiavi gave an update on the budget, and the changes they are proposing.

We decommissioned Savary Ave. Wrote a letter to the Army Corp around September 23<sup>rd</sup> confirming we are ready to decommission the system. We gave a proposal of what we thought would be the most advantageous way to do that. We haven't heard back from them yet. When we presented the budget to the Select Board, we had funding in the budget for the decommissioning.

We are also in the process of reconstructing the Wastewater Treatment Plant. In February we got confirmation that the loan will close in October, so we were able to make adjustments in our long-term debt services for principal and interest that will help reduce the size of the sewer budget.

### Reduction in the Sewer Budget – has an impact on the sewer rates.

Tony Schiavi also went over the proposed Sources & Uses for the Enterprise Fund. Still using retained earnings.

TOWN OF BOURNE								4C	
Expenditure Budget Report									
2022 Town Budget									
442 - SEWERAGE COLLECTION & DISPOSAL									
Account	Description	2020 App	2020 Exp	2021 App	2021 Exp	Town Admin. Rec.	\$ Change	% Change	
5100 - PERSONAL SERVICES									
5111	SALARIES - DEPT.HEADS Matt Quinn 40% Unit-B G4/S6 \$83,256 Moving 100% to DPW budget 11/18/2020 budget mtg	30,319.00	30,318.34	31,931.00	23,135.33		-31,931.00	-100.00%	
5112	SALARIES - SUPERVISORS/ADM.SEC Confidential Sec. BEA G20-S6 @75%	55,843.00	59,834.69	61,632.00	27,546.65	55,108.00	-6,524.00	-10.58%	
5116	SALARIES - LABORERS T-Parrot Sewer Tech - DPW chart G14-S9 - Added Sewer Tech @ G14-S- After 7/1/12 per 11/18/20 Budget Mtg \$54,649	68,893.00	68,992.66	70,959.00	30,229.24	127,029.00	56,070.00	79.01%	
5117	WAGES - HOURLY EMP.(PERM)	0.00	549.76	0.00	1,042.87			0.00%	
5130	OVERTIME - WAGES	30,000.00	20,168.55	30,000.00	17,519.89	30,000.00		0.00%	
5141	LONGEVITY	2,787.00	2,748.10	2,858.00	2,918.11	1,583.00	-1,275.00	-44.61%	
5190	INCENTIVE PAY	0.00	0.00	300.00		300.00		0.00%	
<b>Total</b>		187,842.00	182,612.10	197,680.00	102,392.09	214,020.00	16,340.00	8.26%	
5200 - PURCHASE OF SERVICES									
5211	ENERGY - ELECTRICITY	7,500.00	7,845.36	8,500.00	5,118.63	8,500.00		0.00%	
5213	ENERGY - OTHER FUELS	1,000.00	312.09	1,000.00	995.76	1,000.00		0.00%	
5230	NON-ENERGY - WATER	600.00	616.95	750.00	367.50	750.00		0.00%	
5240	R&M - BLDGS & GROUNDS	300.00	0.00	300.00		300.00		0.00%	
5242	R&M - LIGHT TRUCKS	1,000.00	0.00	1,000.00		1,000.00		0.00%	
5248	R&M - MACH.& EQUIP (BY OTHER)	80,000.00	50,301.49	30,000.00	23,697.35	27,500.00	-2,500.00	-8.33%	
5273	RENTALS - HEAVY EQUIPMENT	1,500.00	0.00	2,500.00		2,200.00	-300.00	-12.00%	
5274	RENTALS - UNIFORMS	1,100.00	309.77	550.00	188.99	550.00		0.00%	
5304	SERVICES - CONSULTANTS Cut 55k to 22k (Savery) but added 200k for op costs WWF increased \$3k and moved to new line 1/15/2021 mtg	55,000.00	40,608.72	55,000.00	2,517.15	25,000.00	-30,000.00	-54.54%	
5315	SERVICES-LEGAL,OUTSIDE COUNSEL	2,500.00	10,453.50	5,000.00		5,000.00		0.00%	
5318	SERVICES-WASTE REMOVAL & DISPO \$400,000 FY20 - \$410,000 FY21 - \$420,250 FY22 - 2.5% increase annually	400,000.00	400,000.00	410,000.00	410,000.00	420,250.00	10,250.00	2.50%	

## TOWN OF BOURNE

### Expenditure Budget Report

### 2022 Town Budget

442 - SEWERAGE COLLECTION & DISPOSAL								
Account	Description	2020 App	2020 Exp	2021 App	2021 Exp	Town Admin. Rec.	\$ Change	% Change
<b>5200 - PURCHASE OF SERVICES</b>								
5340	COMMUNICATIONS - TELEPHONE	2,000.00	1,321.34	2,000.00	756.78	2,000.00		0.00%
5341	COMMUNICATIONS - POSTAGE	1,000.00	372.50	900.00	745.22	900.00		0.00%
5342	COMMUNICATIONS - PRINTING	350.00	163.29	350.00		300.00	-50.00	-14.28%
5349	CONTRACTED SVCS-DECOMMISSION S	0.00	0.00	0.00				0.00%
	11/18/2020 Mtg per T.S. add new line of \$100k to remove Savary septic system							
5351	CONTRACTED SERVICES - O&M	0.00	0.00	0.00		256,000.00	256,000.00	100.00%
	\$200k operating charge from 5200-5307 plus addition support \$38,500 + 16,750 = 55,250 round to 56k 1/15/2021 mtg							
<b>Total</b>		553,850.00	512,305.01	517,850.00	444,387.38	751,250.00	233,400.00	45.07%
<b>5400 - SUPPLIES</b>								
5420	OFFICE SUPPLIES - GENERAL	200.00	33.22	150.00		150.00		0.00%
5432	BLDG./EQUIP.SUPP.- TOOLS	4,500.00	3,704.11	5,000.00	620.97	5,000.00		0.00%
5450	CUSTODIAL SUPP. - CLEANING	25.00	0.00	25.00			-25.00	-100.00%
5451	HAZARDOUS MATERIAL EQUIP	5,000.00	0.00	4,000.00		4,000.00		0.00%
5481	VEH.SUPP.- DIESEL	2,500.00	2,496.46	3,500.00	1,210.23	3,500.00		0.00%
5482	VEH.SUPP.- OIL & LUBE	100.00	0.00	1.00			-1.00	-100.00%
5484	VEH.SUPP.- PARTS	2,500.00	320.71	2,500.00	12.47	2,500.00		0.00%
5485	VEH.SUPP.- REG,INSPECTIONS	350.00	95.00	350.00	110.00	350.00		0.00%
5584	OTHER SUPP.- PROTECTIVE CLOTH.	4,000.00	2,774.65	4,500.00	1,275.36	4,500.00		0.00%
<b>Total</b>		19,175.00	9,424.15	20,026.00	3,229.03	20,000.00	-26.00	-0.12%
<b>5700 - OTHER CHARGES AND EXPENDITURES</b>								
5760	CAPITAL ASSESSMENT - TOWN OF W	188,478.00	188,477.53	188,478.00	188,477.53	188,478.00		0.00%
5781	LICENSE REIMBURSEMENT	375.00	0.00	375.00	239.00	375.00		0.00%
<b>Total</b>		188,853.00	188,477.53	188,853.00	188,716.53	188,853.00		0.00%

User: MEllis  
Report:

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**TOWN OF BOURNE**
**Expenditure Budget Report****2022 Town Budget**


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<b>442 - SEWERAGE COLLECTION &amp; DISPOSAL</b>								
Account	Description	2020 App	2020 Exp	2021 App	2021 Exp	Town Admin. Rec.	\$ Change	% Change
<b>5800 - CAPITAL OUTLAY</b>								
5870	REPLACEMENT EQUIPMENT	105,000.00	42,249.71	105,000.00		90,000.00	-15,000.00	-14.28%
5871	NEW EQUIPMENT	5,000.00	0.00	5,000.00		5,000.00		0.00%
<b>Total</b>		110,000.00	42,249.71	110,000.00		95,000.00	-15,000.00	-13.63%
<b>5900 - PERMANENT DEBT SERVICE</b>								
5910	PRINCIPAL LONG TERM DEBT	20,000.00	20,000.00	35,000.00		10,000.00	-25,000.00	-71.42%
5915	INTEREST-LONG-TERM DEBT	2,000.00	2,000.00	35,000.00	1,173.61	28,100.00	-6,900.00	-19.71%
5920	TEMPORARY INTEREST	2,000.00	0.00	2,000.00			-2,000.00	-100.00%
<b>Total</b>		24,000.00	22,000.00	72,000.00	1,173.61	38,100.00	-33,900.00	-47.08%
<b>SEWERAGE COLLECTION &amp;</b>		1,083,720.00	957,068.50	1,106,409.00	739,898.64	1,307,223.00	200,814.00	18.15%

User: MEllis  
Report:

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**TOWN OF BOURNE**
**Expenditure Budget Report****2022 Town Budget**


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<b>947 - MISCELLANEOUS</b>								
Account	Description	2020 App	2020 Exp	2021 App	2021 Exp	Town Admin. Rec.	\$ Change	% Change
<b>5700 - OTHER CHARGES AND EXPENDITURES</b>								
5798	RESERVE FUND	50,000.00	0.00	100,000.00		50,000.00	-50,000.00	-50.00%
	Reduce from \$100k to \$50k per 11/18/2020 budget mtg							
<b>Total</b>		50,000.00	0.00	100,000.00		50,000.00	-50,000.00	-50.00%
<b>MISCELLANEOUS Total</b>		50,000.00	0.00	100,000.00		50,000.00	-50,000.00	-50.00%

User: MEllis  
Report:

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## TOWN OF BOURNE

### Expenditure Budget Report

#### 2022 Town Budget

990 - TRANSFERS								
Account	Description	2020 App	2020 Exp	2021 App	2021 Exp	Town Admin. Rec.	\$ Change	% Change
<b>5961 - TRANSFER TO GENERAL FUND</b>								
9000	DIRECT EXPENSE	0.00	134,709.00	0.00	140,944.00			0.00%
	<b>Total</b>	0.00	134,709.00	0.00	140,944.00			0.00%
<b>5963 - TRANSFERS TO CAPITAL PROJECTS</b>								
9000	DIRECT EXPENSE	0.00	0.00	0.00				0.00%
	<b>Total</b>	0.00	0.00	0.00				0.00%
<b>5966 - TRANSFERS TO TRUST &amp; AGENCY</b>								
9000	DIRECT EXPENSE	0.00	30,000.00	0.00	30,000.00			0.00%
	<b>Total</b>	0.00	30,000.00	0.00	30,000.00			0.00%
<b>5967 - TRANS TO CAP PROJ GEN FD 30</b>								
9000	DIRECT EXPENSE	0.00	0.00	0.00				0.00%
	<b>Total</b>	0.00	0.00	0.00				0.00%
<b>5978 - TRANSFER FROM BOND PREMIUM</b>								
9000	DIRECT EXPENSE	0.00	0.00	0.00				0.00%
	<b>Total</b>	0.00	0.00	0.00				0.00%
<b>5980 - TRANSFERS OUT</b>								
9000	DIRECT EXPENSE	0.00	0.00	0.00				0.00%
	<b>Total</b>	0.00	0.00	0.00				0.00%
<b>5983 - TRANSFER FROM RET EARNINGS</b>								
9000	DIRECT EXPENSE	0.00	0.00	0.00				0.00%
	<b>Total</b>	0.00	0.00	0.00				0.00%
<b>5984 - TRANSFER FROM RESERVE FOR EXPE</b>								
9000	DIRECT EXPENSE	0.00	0.00	0.00				0.00%
	<b>Total</b>	0.00	0.00	0.00				0.00%

User: MEllis  
Report:

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## TOWN OF BOURNE

### Expenditure Budget Report

#### 2022 Town Budget

990 - TRANSFERS								
Account	Description	2020 App	2020 Exp	2021 App	2021 Exp	Town Admin. Rec.	\$ Change	% Change
<b>TRANSFERS Total</b>		0.00	164,709.00	0.00	170,944.00			0.00%

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Report:

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**TOWN OF BOURNE**
**Expenditure Budget Report****2022 Town Budget**


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<b>991 - TRANSFER TO GENERAL FUND</b>								
<b>Account</b>	<b>Description</b>	<b>2020 App</b>	<b>2020 Exp</b>	<b>2021 App</b>	<b>2021 Exp</b>	<b>Town Admin. Rec.</b>	<b>\$ Change</b>	<b>% Change</b>
<b>5920 - INTERFUND TRANSFERS</b>								
5922	TRANSFER OF AVAILABLE FUNDS	0.00	0.00	0.00				0.00%
<b>Total</b>		0.00	0.00	0.00				0.00%
<b>TRANSFER TO GENERAL FUND</b>		0.00	0.00	0.00				0.00%
<b>SEWER ENTERPRISE Total</b>		1,133,720.00	1,121,777.50	1,206,409.00	910,842.64	1,357,223.00	150,814.00	12.50%

User: MELLIS  
Report:

Last Expenditure Update: 03/08/2021

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James Potter said it could impact how we set the rate in the summer vs the budget now, is there any cost saving to not operating the plant or postponing the operations of the plant. We would have to ask the grant partners if that was possible.

Tony Schiavi said from a treatment standpoint there is plenty of capacity for Wareham and they can treat it less expensively.

Jared MacDonald said we should ask, if we pause to open/start the plant, would there be any harm if we postpone the opening – will any components be damaged if it is not running.

James Potter said we should consider if we leave the equipment not operational, we have to find out if that is possible; and if we do run the equipment, there is a minimum capacity that we have to send for the equipment to function correctly. We have to meet 25% of the flow, or we could run into issues.

Mary Jane Mastrangelo said we have a ground water discharge permit that identified a particular starting flow for the plant to be operational. We have over 4 million dollars that we are getting in grant money from EDA and MassWorks. Jeopardizing that 4 million dollars to save a little might not be in the best interest for the town. Another thing to consider for this year's budget is using more than 50,000 in retained earnings. We have to look at retained earnings, we have to look at the budget, we have to look at the long term, and we have to look at the current situation as a temporary situation pending additional flow and additional revenue coming in. We have to manage the cash flow. Encourage the use of 135,000 in retained earnings.

James Potter said using retained earnings to supplement the operating budget isn't a good idea. Retained earnings is not for operational costs, it should be for capital improvements to the system.

Judy Froman said we should make it a practice that we put money into retained earnings.

**Voted:** Judy Froman moved and seconded by Jared MacDonald to approve the updated sewer budget FY22 as presented.

**Roll Call Vote:** Jared MacDonald - Yes, Judy Froman - Yes, George Slade - Yes, Peter Meier - Yes, James Potter - Yes

Vote: 5-0-0.

#### **4.D. Equivalent Resident Unit (ERU) System Development Charge discussion and possible vote**

James Potter said some of the businesses were concerned about their rates. This item is about the system development charge, which also has the same ERU title. In the rate study done by Tighe & Bond was that we could change to an ERU rate, which would tie water usage more closely to actual water usage with the rate. The Board did not adopt that ERU system, we were going to take a year to look at it.

2<sup>nd</sup> part of the study is the ERU system development charge. That is based on the study of what we were charging in our allocation policy for a new business locating to town. This is for a new business that is locating to down town and connecting to the sewer system, what they would be paying for allocation for the gallonage that they are requesting.

We should adopt this development charge; the staff will know how many ERU a project will need. This ERU method is legally defensible in court.

Peter Meier questioned is it imperative that we take action this evening? If we don't have to take action tonight can we do a workshop format so we can go through the information, do some outreach.

James Potter said this is for new businesses locating to Bourne, not current businesses. If we don't approve this now then we would have to collect the 06 & 17 policies together, which is a higher number. We should adopt this system, which has done the math for the ERUs, in cost and number of gallons. Any delay in collecting what we should be collecting will affect the current rate payers.

Judy Froman said it would be good to have more information on what the comparison is of the ERU practice vs. what we are currently doing, what would end up happening if we had to do the 06 and 17 fees.

James Potter said in the workshop we will talk about this as a system development charge for a new business locating to down town.

The ERU is based on 150 gallons

Take the business type

Multiply out the fixtures by the gallons = certain amount of ERUs

Multiply by 3600 = Cost

**Voted:** Peter Meier moved and seconded by Jared MacDonald to defer action on this agenda item to a future meeting or workshop.

**Roll Call Vote:** Jared MacDonald - Yes, Judy Froman - Yes, George Slade - Yes, Peter Meier - Yes, James Potter - Yes

Vote: 5-0-0.

#### **4.E. Sewer Policy and Regulations (Section 1 and Section 2 Adoption; Section 3 thru 9 and Appendix – 3<sup>rd</sup> Reading)**

James Potter said we have section 1 & 2 adoption, section 3-9 and appendix for third reading.

Section 1 – definition

Section 2 - allocation policy

Judy Froman said she does feel comfortable discussing it but not sure about voting on it because it wasn't posted with the agenda, people don't have the draft with the edits.

Glenn Cannon went over the edits.

Page 3 Section 1.1

This is in reference to an opinion from Bob Troy, Town Counsel, as to the authority of the Board of Sewer Commissioners. This is what gives the BOS acting as the BOSC the authority to make these rules and regulation.

Page 5 Section 2.1

3<sup>rd</sup> paragraph there is a substantial change. This is to change the allocation policy over to a flow-based policy.

Section 2.2 - cleaning up the language.

Section 2.3 – Clean up the language in paragraph A. Paragraph B has a substantial change. If an applicant comes before the Board and we don't have enough allocation we shouldn't reject them, they should be able to talk to staff.

Page 8 Section 3.4 Backwater valves – added “The DPW shall have the right to inspect all backwater valves in accordance with Section 6.0 of these regulations. Where backwater valves are required, they shall be installed and maintained continuously in satisfactory and effective operation by and at the expense of the owner or user.

Page 23 Section 6.1 A - added backwater valves to the list of what the sewer staff would be able to inspect.

Glenn Cannon said there are old regulation on the website from 1990.

James Potter said we can add this item to the agenda for the workshop.  
In the back of the document will be all the attachments the applicant would need.

#### 4.F. Cape Cod and Islands Water Protection Funding Allotment/Reimbursement discussion

James Potter said this is the current data that was collected on behalf of Bourne and other communities for the Cape and Islands short term rental tax. This is what has been collected on behalf of the state that has been put aside for Bourne. The Cape Cod and Islands Board just manages what the state tells them was collected.

Locality Code	Town	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Total by Town
0020	Barnstable	\$ 387,290.86	\$ 665,008.54	\$ 190,411.68	\$ 125,682.00	\$ 72,530.34	\$ 137,734.56	\$ 971,010.82	\$ 2,549,668.80
0036	Bourne	21,464.63	34,155.16	19,267.77	18,587.41	8,493.80	29,638.84	145,032.70	276,640.31
0041	Brewster	193,246.58	331,672.53	43,636.85	19,138.08	174,650.43	75,198.62	597,112.72	1,434,655.81
0055	Chatham	347,169.10	619,393.95	98,197.18	46,522.41	320,965.99	164,370.23	1,092,985.17	2,689,604.03
0075	Dennis	220,038.97	303,281.43	44,992.74	35,347.52	196,673.13	126,797.69	696,844.56	1,623,976.04
0086	Eastham	130,380.25	200,475.83	34,232.74	23,600.86	83,045.31	78,081.81	488,384.48	1,038,201.28
0096	Falmouth	242,416.22	436,694.42	91,992.87	50,798.34	111,181.07	119,537.64	641,477.29	1,694,097.85
0126	Harwich	167,327.73	299,382.65	37,033.86	17,273.73	110,397.41	72,405.01	507,110.04	1,210,930.43
0172	Mashpee	47,289.83	67,206.15	24,815.40	13,828.87	24,867.20	42,072.97	214,273.47	434,353.89
0224	Orleans	89,540.52	148,356.73	21,341.78	11,153.89	66,600.98	47,345.49	345,365.03	729,704.42
0242	Provincetown	373,116.79	641,571.90	131,022.66	60,212.50	115,038.46	126,083.66	1,042,865.57	2,489,911.54
0261	Sandwich	71,541.53	112,198.39	32,206.36	20,077.61	28,143.71	40,494.69	264,913.79	569,576.08
0300	Truro	109,227.48	209,451.49	19,266.95	9,966.20	106,603.97	68,457.03	406,761.12	929,734.24
0318	Wellfleet	89,549.42	139,546.30	22,002.93	15,527.98	48,883.21	49,524.70	425,326.47	790,361.01
0351	Yarmouth	409,646.40	624,108.01	76,236.01	45,228.91	305,187.77	147,313.27	885,021.09	2,492,741.46
<b>Total Received</b>		<b>\$ 2,899,246.31</b>	<b>\$ 4,832,503.48</b>	<b>\$ 886,657.78</b>	<b>\$ 512,946.31</b>	<b>\$ 1,773,262.78</b>	<b>\$ 1,325,056.21</b>	<b>\$ 8,724,484.32</b>	<b>\$ 20,954,157.19</b>
<b>Periods cover</b>		Jul 2019 - Aug 2019	Sep 2019 - Nov 2019	Dec 2019 - Feb 2020	Mar 2020 - May 2020	Jun 2020 - Aug 2020	Jun 2020 - Jul 2020	Sep 2020 - Feb 2021	

James Potter said he will look into why Bourne is so much lower than other communities.

Received a call from David Vieira regarding the warrant article for this spring.

There was concern from one of the Selectmen in Mashpee about the language that we had in the article. Representative Vieira will find out more from the Executive Board of the Cape and Islands Water Protection Board whether they are going to review our warrant article. Mr. Potter will update the Board when he hears back from Representative Vieira.

There was concern that the money would be going off Cape. Bourne has a preexisting IMA with Wareham. We have to be eligible to receive back money that we put in to the fund.

The Water Protection Board asked me to pursue this, have us go to Town Counsel, draft a Home Rule Petition, and pursue an amendment of the language at the state level. We are doing what we were requested to do.

If we get a reimbursement from the Cape and Islands Water Protection fund, how do we want to allocate the reimbursement. Does the town share in the reimbursement, for also contributing money, or does the Enterprise Fund receive the entire reimbursement. The town put money towards the project, the Enterprise Fund paid the rest.

Do not believe there are conditions/strings attached for what to do with the money. Don't believe we have to use the money in a certain way or put the money into a specific account. This Board/Board of Selectmen has to decide how we want to handle a reimbursement back to the town. The reimbursement could go into Retained Earnings.

Jared MacDonald suggested to discuss it in the workshop to have open conversation. The town should be able to get some of the reimbursement.

James Potter said the Executive Board hired a money management firm that is helping to determine what the percentages would be. We could offset the economic taxes that were collected by the town on behalf of the development. Be careful trying to subsidize the sewer rate with this reimbursement, it should be used as a Capital Retained Earnings function.

#### **4.G. Joint Base Cape Cod (Converge) update**

Glenn Cannon said we are still having conversations with the applicant about taking over the wastewater system on Joint Base Cape Cod, Converge Partners, LLC. Still talking about taking leachate from the Integrated Solid Waste facility, and integrating it. Converge continues to move forward, they still don't have a contract to purchase or take over the system.

Helen Gordon said Joint Base Cape Cod is in our scope of work for the Comprehensive Plan. Even if you are not part of the coalition moving forward, would be taken into consideration on the watershed analysis.

Tony Schiavi said the effluent from the Base going through the filtration beds eventually goes into the canal. As part of the public education, it would be important for people to know how septic systems work, how ground water discharges work, how outflow pipes work.

#### **5) New Business**

- A. Any new sewer business (not foreseen 48 hours ahead of this meeting)**
- B. Public Comment**

James Potter said we received correspondence from the Buzzards Bay Coalition regarding a federal grant program that they thought they would be eligible for.

Glenn Cannon said there was federal funding for projects that would be available for our region. Haven't looked into it, we'll continue to pursue that.

### **5.B. Public Comment**

Catherine Walton questioned the formula for the new sewer rate.

James potter explained how the new sewer rate would work/be calculated.

### **Future Agenda Items**

- A. Buzzards Bay Wastewater Treatment Facility**
- B. Comprehensive Wastewater Management Plan**
- C. Cape Cod and Islands Water Protection Fund**
- D. Sewer Commissioner Regulations & Policies Guidebook and implementation**
- E. Savary Avenue**
- F. Inflow and Infiltration Study**
- G. Upper Bay Project (Bourne-Wareham-Marion-South Plymouth)/Buzzards Bay Coalition**
- H. Equivalent Residential Unit Sewer Rate Analysis**
- I. Bourne/Wareham Inter-municipal Agreement subcommittee**
- J. Bourne/Wareham Inter-municipal Agreement Capital**
- K. Joint Base Cape Cod Sewer**

### **6) Adjourn**

**Voted:** Judy Froman moved and seconded by Peter Meier to adjourn at 9:41 P.M.

**Roll Call Vote:** Jared MacDonald - Yes, Judy Froman - Yes, George Slade - Yes, Peter Meier - Yes, James Potter - Yes.

Vote: 5-0-0.

Respectfully submitted – Carole Ellis, secretary.