

**Sewer Commissioners Meeting
Minutes of Monday, November 23, 2020
Zoom Remote – Public Access**

RECEIVED

2021 JAN -7 PM 12:05

TOWN CLERK BOURNE

TA Tony Schiavi
ATA Glenn Cannon

Sewer Commissioners

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

Others: Zachary Bazinski – Bracken Engineering; Mr. Metcalf; Korrin Petersen; Mike Rausch, Tim Lydon

Note this Zoom videoconference meeting is being televised. The meeting is being recorded and will be provided to Bourne TV for playback.

If anyone from the public wishes to provide public comment, they can access the conference line by calling:

1-929-205-6099 Meeting ID: 811 6446 6505 Password: 384874.

<https://us02web.zoom.us/j/81164466505?pwd=NERyTmtmTndzYktDSHVZdkNqMOVOZz09>

Please MUTE your phone until the Chair asks if anyone wishes to speak.

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

Note this meeting is being recorded.

Documents: [Commercial Wastewater Management Allocation Policy](#), [Sewer Policy & Regulations](#), [Sewer Correspondence](#)

Meeting Called to Order

Chm. Potter called the meeting to order at 7:02 pm.

1) Salute to the Flag

2) Consent Agenda

Approval of Open Session meeting minutes: 09-09-20; 09-29-20 & 10-27-20

Voted: Judy Froman moved and seconded by George Slade to approve the minutes from September 9, 2020 with amendment – Judy Froman arrived 5 minutes late.

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

Vote: 4-0-0.

Voted: Judy Froman moved and seconded by George Slade to approve the minutes from September 29, 2020.

Roll Call Vote: Judy Froman - Yes, George Slade - Yes, Jared MacDonald - Yes, James Potter - Yes
Vote: 4-0-0.

Voted: Judy Froman moved and seconded by George Slade to approve the minutes from October 27, 2020.

Roll Call Vote: Judy Froman - Yes, George Slade - Yes, Jared MacDonald - Yes, James Potter - Yes
Vote: 4-0-0.

3)) Rescheduled Agenda Topic (from 10/27/20)

A. Upper Bay Project (Bourne-Wareham-Marion-South Plymouth) Regional Sewer Update

Korrin Petersen, Senior Attorney for Buzzards Bay Coalition gave an overview of the Upper Bay Project, and what has been happening.



Multi-Community Collaboration to Reduce Nitrogen in Upper Buzzards Bay

"The Upper Bay Project"

Town of Bourne

Board of Sewer Commissioners

November 23, 2020

Korrin Petersen, Senior Attorney
Buzzards Bay Coalition





- Removes ~90,000 lbs of nitrogen/year
in impaired embayments!**



Multi- Community Collaboration to Reduce Nitrogen in
Upper Buzzards Bay

Phase I

2016-2017

\$200,000 Grant from US EPA to Assess Feasibility –
Completed June 2017

- Right-of-Way Survey of MassDOT Railroad
- Preliminary Sewer Needs Analysis
- WWTF Upgrade Needs Analysis
- Hydrodynamic Model
- Baseline Water Quality Monitoring to meet State Permitting Requirements



Multi- Community Collaboration to Reduce Nitrogen
in Upper Buzzards Bay

Phase II

2018-2020

In 2018 the Coalition received \$419,000 from the US EPA in partnership with Restore America's Estuaries to:

- Complete baseline science.
- Evaluating alternatives for pipe relocation.
- Refine partner sewer needs and assess needed upgrades at WWTP to accommodate future flows.
- Recommend Governing Structure.
- Conceptual Designs.
- Developing Financial Model.



Multi- Community Collaboration to Reduce Nitrogen
in Upper Buzzards Bay

Phase III

2020-2021

In 2020 the Coalition received \$118,000 from the US EPA in partnership with Restore America's Estuaries to:

- Complete Infrastructure Engineering.
- Public Presentations.



Science Complete

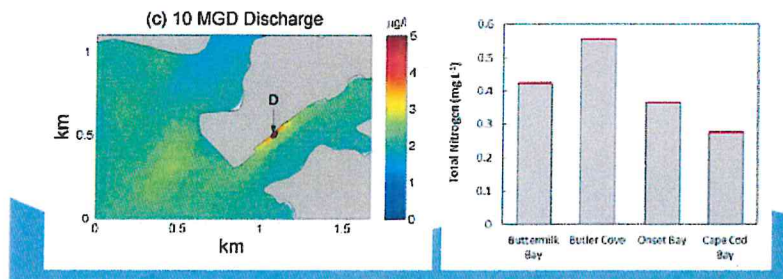
Meeting the needs of the State Ocean Sanctuaries Act:

- Evaluation of receiving water body including:
 - Water Quality Monitoring Data
 - Eelgrass
 - Benthic survey
 - Fish habitat
 - Hydrodynamic Model



Hydrodynamic Study

- Performed by WHOI and UMass Dartmouth
- Daily flow through canal estimated at 56 – 80 billion gallons
- Discharge modeled as 10 million gallons per day
 - ~0.007 mg/L increase at Canal at 10MGD.
- However, realistic discharge is less than 3.5 million gallons per day over the next 40 years and increase will be lower.



Water Quality Data

- More than 900 nitrogen samples since 2016.
- 60,000 measurements of dissolved oxygen.
- TN average .21 - .32mg/L.

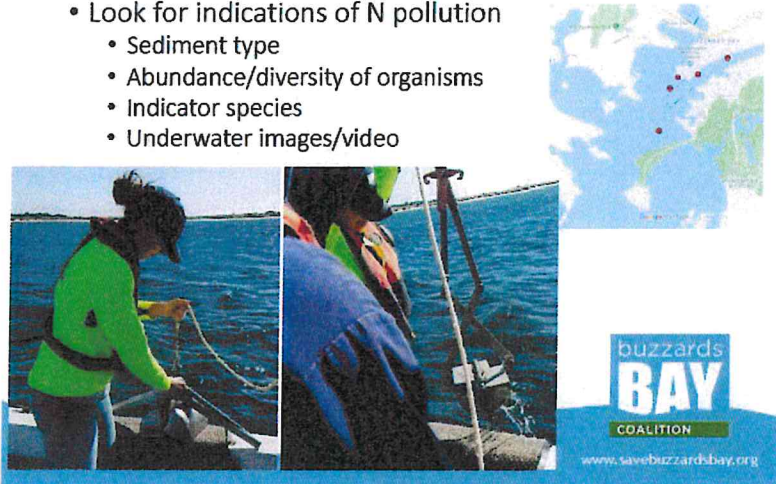


buzzards
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Survey seafloor habitat – Benthic

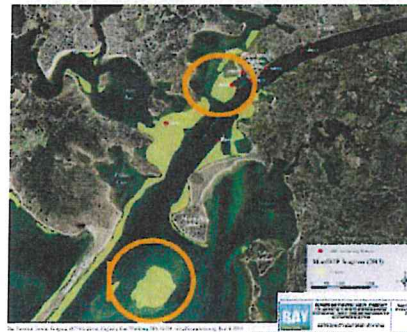
- Look for indications of N pollution
 - Sediment type
 - Abundance/diversity of organisms
 - Indicator species
 - Underwater images/video



Establish current eelgrass extent

- Massachusetts Division of Marine Fisheries Surveyed eelgrass beds close to and away from MMA outfall

- Reducing nitrogen in upper estuary restores eelgrass beds which restores fisheries.



Assess existing fishery resource

- Utilize trawl data collected by the Massachusetts Division of Marine Fisheries 2x/year over last 10 years from Upper Buzzards Bay and Cape Cod Bay to assess current conditions.
- Canal is primarily a short-term habitat used by fish. Migrating fish passing through the canal and the type of fish changing over the course of the season.
- Improving critical estuarine habitats will improve the health of fisheries.

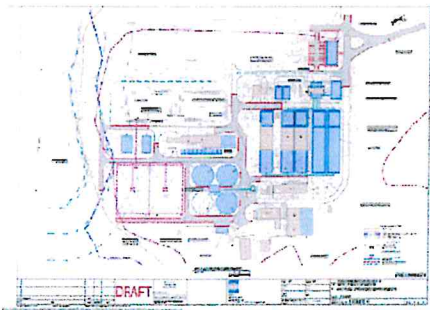


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Refine Wastewater Flows and Evaluate WWTP Expansion

- Each partners' CWMPs will provide better estimated flows.
 - Used Best-Available Information and Evaluating Alternatives for Plant Expansion from 2MGD – 3.5MGD



- New Plant
- New Technology
- Expand Current Plant
- Solids Management

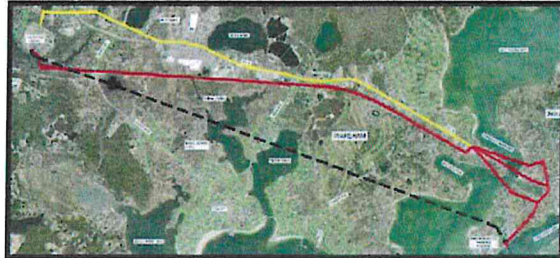


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Pipe Realignment

- Relocate Existing Outfall from Agawam River to Cape Cod Canal at MMA
 - Total Length – 4.5 Miles



Evaluate Regional-Based Governing Structure



- Regional Wastewater District Modeled on Mansfield Norton Foxboro and Tailored to Partner Needs – Recommended
- Legislation Needed
- Regional Agreement Needed



Financial Model

- Developing a Financial Model to Help Communities Compare Impact to Ratepayers/Taxpayers over time.
 - Used current wastewater budgets including debt expenses.
- Will Help Compare Costs of Town-Only or Regional Solution



Next Steps for Project

- Complete Infrastructure Model to Evaluate Current Pipe Capacity of Existing Infrastructure
- Refine Existing Work Based on CWMP Numbers
- Work with Communications Firm to Present Technical Information to the Public
- Help Towns Evaluate Direction



(CWMP) Comprehensive Wastewater Management Plan

Glenn Cannon questioned if there is a time frame when the financial analysis model will be done.

Korrin Petersen said she hopes to be back before the Sewer Commissioners in the next couple of months with a lot more information, and to go through the financial module along with a lot of the other outcomes.

Peter Meier questioned if there are other places between Marion and Wareham that they could send the pipe in that direction as opposed to piping it out off Mass Maritime?

Korrin Petersen said the hydrodynamic model looked at the shellfish bed closures, right now there is currently a discharge at that location. The hydrodynamic looked at where the pollution is going to go and do the flushing at the canal because there is so much water that moves there, the nutrients disappear very quickly. We are hoping there is an overall improvement and no impact to the canal.

Judy Froman questioned based on the estimate of 3.5 million gpd into the ocean, are there any other similar projects where that amount of wastewater goes into the ocean.

Korrin Petersen said on the Cape; Dennis, Harwich, Yarmouth are looking to do the same thing. Mansfield, Norton, Foxborough there discharge is about 4 million gpd into the Taunton river. Ms. Petersen spoke about a few more town with discharge.

Jared MacDonald questioned could we do a groundwater discharge for a portion of it, if we had to? Korrin Petersen said it is possible. One of the potential impacts for ground water discharge is finding the amount of land that you would need in order to discharge 3.5 million gallon per day. That goes into the ground water and resurfaces in your near coastal estuaries. One of the benefits to the canal is you are not affecting a sensitive estuary and habitat that is cultivating nursery grounds for fisheries.

Jared MacDonald questioned has anyone looked at temperature differences with these discharges. Is there any kind of impact with the temperature of our discharge going into the water? It makes a difference with the species in that environment.

Korrin Petersen said the EPA has regulations as to the temperatures of the waters. We would have to meet all of those requirements. I will get an answer for the Board.

Jared MacDonald questioned would there be ongoing monitoring device?

Koreen Petersen said the coalition will continue to monitor the water quality of the sites. Any discharge there that is permitted by the EPA or state is going to require a very robust long term monitoring program to ensure there are no unintended consequences. We will look at all opportunities to fund this project, if it does move forward.

4) Sewer Allocation Updates

A. MMA — 11 Buttermilk Way

B. Oak Bay Brewery — 140 Main Street

- C. James McLaughlin — 227 Main Street
- D. Vinnie Michienzi 100 Block
- E. Vinnie Michienzi — 85-93 Main Street

November 19, 2020

Commercial Wastewater Management Allocation

Property	Gallons Per Day (GPD)	Comments
11 Buttermilk Bay	7070	
140 Main Street	2256	
227 Main Street	79	
100 Block	26,080	
85-93 Main Street	13,000	The existing development (Brewery, Vela Juice Bar, Krua Thai) at 85-93 Main Street was allocated 5,280 gpd, leaving 7,720 gpd
48,485 GPD		

4.A. 11 Buttermilk Way

Mr. Metcalf gave an update on the MMA 11 Buttermilk Way project

- Still continuing with preconstruction for the Beachmore
- Waiting for the order of conditions from ConCom
- Proceeding with all the preconstruction
- Holding off on demolition and construction until the end of the school year

James Potter said this was for 7,070 gpd

4.B. Oak Bay Brewery – 140 Main Street

James Potter said this was for 2,256 gpd

Tony Schiavi said he spoke with Brian Poulin and Mr. Poulin said they were trying to work out some questions related to the flood zone and whether the appliances for the brewery would be considered as part of the overall cost

Glenn Cannon said we can try to contact Oak Bay Brewery to get an update.

4.C. James McLaughlin — 227 Main Street

Zack Bazinski – Bracken Engineering, representing Mr. McLaughlin.

- Building is under construction
- It has been fully demoed
- Raised to meet the flood plan requirements
- Making the building weather tight
- Hoping to be operational in the Spring
- Residential unit up top and office space on the bottom

4.D. Vinnie Michienzi 100 Block

James Potter said this was for 26,080 GPD

Zack Bazinski – Bracken Engineering, representing Mr. Michienzi, gave a brief update

- Still marketing the property
- Water issue downtown, Mr. Michienzi has reached out to the water district
- The water issue has slowed down the project

4.e. Vinnie Michienzi — 85-93 Main Street

13,000 GPD requested, using 5,280 GPD leaving 7,720 GPD left over

Zack Bazinski – Bracken Engineering, representing Mr. Michienzi, gave a brief update

- 3 of 4 tenants are in and operating; Buzzards Bay Brewery, Vela Juice Bar, Krua Thia
- Looking for a tenant for the last space, restaurant.

5) Sewer Business

A. Cape Cod & Islands Water Protection Fund Board [CCIWPF] update

B. Sewer Policy and Regulation (Section 1 and Section 2 - 2nd Reading, Section 3 thru 9 and Appendix — First Reading)

Glenn Cannon said they are continuing to work with the Cape Cod Commission and DEP to find out how to get our projects involved with the wastewater protection fund and how we

become eligible for those grants. There seems to be confusion as to the dates of when projects would be available for those grants.

Have a meeting next week on Tuesday with DEP to get more guidance on this.

The wastewater treatment plant is 100% within our control and it is within the boundaries of the town of Bourne, so it should be available for this funding.

James Potter said we have to be on the Intended Use Plan (IUP) list to get funding through the Cape Cod & Islands Water Protection Fund Board. We need to determine if we can get on the list and the projects will be eligible. We need to work with the Senators to possibly amend the language of the Act to see if we can get eligibility outside of Barnstable County and/or to get the language to include participant not just owner.

5.B. Sewer Policy and Regulation (Section I and Section 2 - 2nd Reading, Section 3 thru 9 and Appendix — First Reading)

Glenn Cannon went over some of the staff changes, fixed some inconsistencies. The technical sections 3-9, not sure if the Board want to break that out as a working document for staff. It is mostly technical information that staff could change as needed. Having all the information in one place is helpful.

1:06:12

Judy Froman went over some of her comments.

Pg. 2 Goals, not really goals – change to mission or objective

Pg. 6 D-1 During the two years, the applicant shall show substantial progress in regular six-month reports to the Board. - Need to be specific that those reports are writing, so there is documentation.

George Slade suggested there be cross referencing throughout the main document stating more information is in the attachments/appendix.

James Potter suggested it would be helpful depending on what permit they are applying for to have a flow chart.

Glenn Cannon suggested to authorize the Town Administrator to make changes to section 3-9 as technical aspects arise and inform the Board at the next meeting.

James Potter suggested to add as one of the attachments in the back for projects that include a new road, or making a public way, the math/formula needs to be addressed; it would be good to have that as an official regulation. Need to know how it will be paid for, betterment – need guidelines on how to spread that cost out.

Judy Froman suggested to have in the section for definition, it would be helpful for the public to have definition of the different staff who are involved in the projects/process, the staff/names/titles/departments, a chart of staff for different projects.

James Potter we can have staff finalize sections 3-9. We can review it for final reading so we are aware what is included in those sections.

Jared MacDonald suggested to give staff time to go over sections 3-9 and make the minor (2) changes to sections 1 & 2.

Voted: Judy Froman moved and seconded by Jared MacDonald to move section 1 & 2 to third reading.

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

Vote: 5-0-0.

6) Sewer Visioning Agenda

- A. Comprehensive Wastewater Management Plan Update**
- B. Board of Sewer Commissioners' Goals**
- C. Equivalent Residential Unit Sewer Rate Analysis Update**
- D. Savary Avenue Septic System Update**
- E. Buzzards Bay Village Wastewater Treatment Facility 11/30/20 coordination meeting**

6.A. Comprehensive Wastewater Management Plan Update

Tony Schiavi said they went through the EBP proposal again. Will be setting up a meeting with them after the Holidays to finalize the scope of work and the contract.

6.B. Board of Sewer Commissioners' Goals

9 Goals –

1. Develop Sewer Commissioner Regulations & Policies Book
2. Fund the Inflow & Infiltration (I & I) Study
3. Award and begin the Comprehensive Wastewater Management Plan (CWMP) process
4. Fund removal of Savary Ave community septic system
5. Assume control of the new Buzzards Bay Village Wastewater Facility, operations, and determine future costs
6. Task a Wastewater Advisory Committee with advising on a Town-wide Sewer Dept. and/or expanded Sewer District
7. Review the current Sewer billing method and compare to a new Equivalent Residential Unit (ERU) billing method
8. Sewer Projects within the Town contribute to improving the environment, are sustainable, and meet coastal resiliency
9. Review the current Wastewater Allocation development fees and compare to a new (ERU) development fee system.

Judy Comments:

- #8 is more like a vision – a direction we want to keep in mind with the decisions we make.
- #4 & 5 are immediate goals. They should be listed as immediate. The rest could be ongoing goals.
- #3 & 6 are connected.
- #9 could be goal 8 and #8 could be a vision statement.

George Slade agrees #8 could be a vision statement. Suggested to get a list of documents and organize them.

Peter Meier said #6 & 7 are more of tasks then goals. James Potter said we can have some short-term and long-term goals. The ones that seem like tasks could be short-term goals.

Tim Lydon said it is good to have short-term and long-term goals. We also need to talk about how we will fund these.

James Potter said we can move number 8 out of the goals, and move the 8 remaining forward to the next meeting.

Judy Froman said it is good to have documentation for what the short-term goals are/were and when they were accomplished. The Board of Sewer Commissioners could have a mission and a vision.

6.C. Equivalent Residential Unit Sewer Rate Analysis Update

Glenn Cannon said Mike Ellis/Tim Lydon helped create the sewer rate analysis. We are close to having an analysis to be able to show every property within the Buzzards Bay water system. Next month we should be able to bring the rate study to the BOSC

James Potter said he would like to get the public involved. Maybe have a public hearing and we invite the rate payers so we get their thoughts, and know how they feel about changing the system. Figuring out who would pay what amount is great to have that information.

Tim Lydon said he wants to take the sewer user list to create the GIS list.

6.D. Savary Avenue Septic System Update

Tony Schiavi said he spoke to the Army Corp

- Spoke about the decommissioning of the septic system on the Army Corp land
- There are 3 options (different levels of removal)
- In the process of drafting a letter to the Army Corp regarding the decommissioning of the Savary Ave system
- We still have a lease on the property – have enough time to draft a letter and send it

- We will have to come up with cost estimates, and go to town meeting to get money

6.E. Buzzards Bay Village Wastewater Treatment Facility 11/30/20 coordination meeting

James Potter said there is a coordination meeting next Monday for the Buzzards Bay waste water treatment facility; it will include the engineers, the facility committee, the OPM. Tony Schiavi said as we get close to the clear water test, which contractor does to demonstrate to DEP that the system works; there are a number of steps that need to be in place. We need to select who will run it, who will maintain it. We are looking at a date at the end of April; it could move further out due to COVID.

7) New Business

A. Correspondence

B. Any new sewer business (not foreseen 48 hours ahead of this meeting)

C. Public Comment

James Potter said we got a letter regarding a project going before planning on Washington Ave. Glenn Cannon said there is a plan that is coming before the Planning Board. They plan it to bring it in front of the Sewer Commissioners so they can view it.

Jim Potter said we need to track projects as they come online, even if they are small projects. Need to decide what fees staff would like to capture that would cover staff's time.

Glenn Cannon said he would like the Board to vote on the sewer rates again.

James Potter spoke about the sewer smell in the Wareham neighborhood. Had our staff look into it. Wareham thinks it is coming from our manhole covers, our pipes are sealed and Wareham's are vented. We do treat wastewater with chemicals as recommended.

Tony Schiavi said we are engaging with our engineering company to help us to determine if it is coming out of the pipe at Hideaway Village. If it is, provide us with some technical assistance with what we might be able to do to correct it, if it is determined to be a Bourne caused issue. We have been over to that neighborhood and haven't smelled anything. We are investigating it.

James Potter said we haven't been notified by DEP.

Tony Schiavi said he'd update the Board of Sewer Commissioners as information comes in.

Future Agenda Items

A. Sewer Commissioner Regulations & Policies Guidebook and implementation

B. Bourne/Wareham Inter-municipal Agreement subcommittee update

C. New Wastewater Treatment Plant — Armory Rd.

D. Joint Base Cape Cod Sewer Meeting Update

8) Adjourn

Voted: Jared MacDonald moved and seconded by Peter Meier to adjourn at 9:26 P.M.

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

Vote 5-0-0.

Respectfully submitted – Carole Ellis, secretary.