

**Board of Sewer Commissioners
Minutes of Tuesday, February 22, 2022
Zoom Remote – Public Access**

ATA Glenn Cannon

Board of Sewer Commissioners

Peter Meier
George Slade, Clerk
Judy Froman
Mary Jane Mastrangelo, Chair
Jared MacDonald, Vice Chair

2022 APR 27 PM 12:08
TOWN CLERK BOURNE

RECEIVED

Others: Marlene McCollem, Korrin Petersen, Irene and Fred Carbone, Zac Basinski, Bracken Engineering, Allen Metcalfe, Michael Ellis, Town Accountant, Hal Choubah, Michael Rausch, Bourne Enterprise, Ross Negele, Christy Murphy, Gary Maloney, Margaret Song, Cape Light, Mike T, Cameron Carbone (7:06), Neil Langille (7:10), Julie Arnold (7:13), and Terri Guarino (7:24).

Note this Zoom videoconference meeting is being televised, streamed or recorded by Bourne TV. If anyone from the public wishes to provide public comment, then can access the Zoom meeting by calling: **1-929-205-6099 Meeting ID: 870 0652 4819 Passcode: 714516.**

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. Please MUTE your phone/microphone upon entry.

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 Chair will recognize participants. The “Chat” keyboard feature will not be utilized for discussion or recognition during this meeting.

Michael Rausch and Glenn Cannon acknowledged that they are recording this meeting.

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

7:00 PM Call Public Session to Order in Open Session

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.

4. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. **Public Comment on Non-Agenda Items:** Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. **Approval of Minutes:** December 7, 2021

Voted: Peter Meier moved, and Jared MacDonald seconded to approve the minutes of December 7, 2021.

Roll Call Vote: Peter Meier – yes, Judy Froman – yes, George Slade – yes, Jared MacDonald – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

7. Board of Sewer Commissioners Business

- a. **Update on the NEW Wastewater Treatment Facility – Joe Sullivan from CHA Companies will address the Board of Sewer Commissioners (BOSC) relative to noise complaints, operation of the new treatment facility and transfer of operations to Sewer Department –**
- b. **Discussion and possible vote to approve the request for sewer allocation for 140 Main Street**
- c. **Update on the planning and /or construction activities at the following locations:**
 - i. **11 Buttermilk Way – Massachusetts Maritime Academy**
 - ii. **2 Kendall Rae Place – CMP Development LLC**
 - iii. **12 Wagner Way – GENCON (Robert Gendron)**
 - iv. **100 Block – Vincent Michienzi**
 - v. **85-93 Main Street – Vincent Michienzi**
 - vi. **2 Bourne Bridge Approach – Domino's Pizza Company**
 - vii. **223 Main Street – Bay Motor Inn**
 - viii. **340 Main Street – 340 Main Street LLC**
- d. **Review the sewer allocation amounts and sewer allocations payments.**
- e. **Presentation by the Buzzards Bay Coalition relative to the Upper Bay Regional Wastewater Feasibility Assessment –**
- f. **Discussion and possible vote relative to energy efficiency at the new Wastewater Treatment Facility**
- g. **Discussion and possible vote on the request for maintenance support for their sewer system from the Hideaway Village Association.**
- h. **Discussion and possible vote to appoint members to the Wastewater Advisory Committee.**

- i. **Discussion and possible vote on the FY23 Sewer Department Operational Budget and the FY23 Sewer Capital Budget.**
- j. **Update for the BOSC Policy Subcommittee.**

- 7.a. **Update on the NEW Wastewater Treatment Facility – Joe Sullivan from CHA Companies will address the Board of Sewer Commissioners (BOSC) relative to noise complaints, operation of the new treatment facility and transfer of operations to Sewer Department –**

Deferred until later in the meeting due to Mr. Sullivan not being on the meeting at this time.

- 7.b. **Discussion and possible vote to approve the request for sewer allocation for 140 Main Street**

Zac Basinski, Bracken Engineering, said he was on this meeting on behalf of the applicant and property owner of 140 Main Street. Mr. Basinski talked about and showed a drawing of the raze and rebuild at 140 Main Street. He said that the owner wants to raze this building and build a mixed-use building on the property. He said they are looking to increase the sewer allocation at this property from about 208 gallons existing up to 1160 gallons for an increase of 952 gallons.

Chair Mastrangelo said that in the packet of information that the Board received there was a request to defer payment of the allocation fee until such time that the Planning Board gives final approval, and she asked if that is still a request. Mr. Basinski said that it is still a request. There was some discussion on the 208 gallons and the fact that the building has not been used much and about deferring the allocation fee.

Voted: Judy Froman moved, and Jared MacDonald seconded to approve an increase in allocation to 1160 gallons per day with an allocation fee based on an increase of 1127 gallons, with payment deferred for 90 days from the date of approval.

Roll Call Vote: Judy Froman – yes, Peter Meier – yes, George Slade – yes, Jared MacDonald – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

- 7.c. **Update on the planning and /or construction activities at the following locations:**

- i. **11 Buttermilk Way – Massachusetts Maritime Academy** – Christy Murphy with Compass Project Management, the Owner's Project Manager representing the Mass, State College Building Authority, and Mass. Maritime said this project is for the new cadet housing at 11 Buttermilk Way. She said they are in construction now and expect to put in their onsite sewer pump area and line in the next few weeks, weather permitting.
- ii. **2 Kendall Rae Place – CMP Development LLC** – Chair Mastrangelo said that they have not received final approval from the Planning Board.
- iii. **12 Wagner Way – GENCON (Robert Gendron)** – Ross Negele, Maritime Holdings LLC, said that GENCON is not affiliated with this project. Mr. Negele gave an update and said that they have a preliminary 17,705 gallons allocated for the Senior Care Facility planned at Wagner Way. He said they are still finalizing the state grants.
- iv. **100 Block – Vincent Michienzi** – Zac Basinski spoke on Vincent Michienzi's behalf for this meeting. He said this project has been delayed to due to the COVID conditions. He said that Mr. Michienzi is scheduled to meet with a potential developer tomorrow. He

asked that the sewer allocations be maintained, and this way Mr. Michienzi can use this information as he markets the property.

Judy Froman asked for clarification from Ross Negele on the approval that they are getting through the state. He responded by saying that when he refers to the state it is the grant allocation for senior living that they are still understanding what grant the federal and state governments will be trickling down through operators in Massachusetts. There was some discussion on the protocols to keep communities safe.

- v. **85-93 Main Street – Vincent Michienzi** – Mr. Basinski said that Mr. Michienzi would like to have the allocation continued to market the two spaces that are currently vacant in the building.
- vi. **2 Bourne Bridge Approach – Domino's Pizza Company** – Chair Mastrangelo said that the Town has not received the allocation fee so this needs to be followed up. Mr. Cannon said he will follow up on it. Peter Meier said they also need to pay their common victualer fee.
- vii. **223 Main Street – Bay Motor Inn** – Fred Carbone said they recently received their allocation for water.
- viii. **340 Main Street – 340 Main Street LLC** – Hal Chouba said he is representing the applicant of 340 Main Street LLC. Mr. Chouba said they received the water allocation a few months ago, they have received the MassDOT Permit, and the building permit is under review. He said they are hoping to start construction in about a month. It will be a mixed-use building.

- 7.d. **Review the sewer allocation amounts and sewer allocations payments.** – Chair Mastrangelo said they should defer this because the Wastewater summary sheet needs some updating and it's something that the Board of Sewer Commissioner's Policy Subcommittee has been discussing with Environmental Partners as to what kind of information should be on the allocation sheet and how it should be formatted for the best tracking. She said previously there was \$135,000 of fees that came in as allocation fees and were applied to the user rates in FY21. There is an additional \$24,430 that has been received as allocation fee payments since then and it may be appropriate to use that money towards the debt service that is in the FY 23 budget.

Gary Maloney asked what the total amount right now has been promised to folks so they can market their property. He expressed concern that everyone else will be carrying those users. Chairman Mastrangelo said that the Board of Sewer Commissioner's Policy Subcommittee is working with the consultant regarding the regulations, allocation fees, and user fees. They are trying to come up with a comprehensive answer. Acting Town Administrator Glenn Cannon said there is no need to cut back on someone's allocation because there is plenty of capacity right now. There was more discussion about allocation and capacity.

- 7.e. **Presentation by the Buzzards Bay Coalition relative to the Upper Bay Regional Wastewater Feasibility Assessment** – Korrin Peterson said that in 2016 the Town of Bourne, together with Wareham, Plymouth, and Mass Maritime Academy, and later the Town of Marion, facing wastewater challenges, endeavored to answer the question of whether it was feasible to regionalize wastewater treatment at one plant and discharge it to the Cape Cod Canal. They wanted to know

if it would yield water quality benefits and what it would cost. She said the feasibility assessment that they released about a week ago, summarizes the facts and figures of science, technical information, legal and engineering assessments, and was funded through the federal EPA Southeast New England Program. She said the summary details the critical information each community needs to evaluate whether a regional wastewater project is preferred over an individual community's investment and long-term management of its own wastewater system.

Ms. Peterson gave a summary of the key findings of the report. She said an expanded Wareham Wastewater Treatment Facility, which reduces nitrogen pollution by more than 90%, can meet the sewer needs of all the communities and reduce nitrogen pollution to their sensitive coastal waters, restore habitats, eliminate cost and maintenance redundancies, and benefit from the economy's construction and design. She said the report finds the discharge to the Cape Cod Canal will ensure that highly treated wastewater will flow through the well-flushed canal rather than into nearby shallow coastal waters that are sensitive to coastal habitats. The project could yield an estimated 100,000 pounds of nitrogen reduction each year.

Ms. Peterson said that without the use of the Comprehensive Wastewater Management Plans (CWMP's) from each community, they hired GHD to work with each of the communities to estimate the needs. It was determined that the total estimate that Bourne would need is 448,000 gallons per day. The total estimate of all the communities was just over 3 million gallons per day. Bourne's ownership of this is about 12%. It was determined that the water quality would be ok.

The next question was how to move the pipe from the Wareham Wastewater Facility that discharges into the Agawam River to the Cape Cod Canal. The group hired BETA Group to look at the routes open-cut construction to realign the pipe from Wareham to the Cape Cod Canal, along routes 6 and 28. Wareham hired Kleinfelder Engineering firm to estimate what it would cost to do horizontal drilling. The BETA cost estimate was 64 million, and the Kleinfelder estimate was 48 million to move the pipe. The cost to expand the facility in Wareham to accommodate the additional 3.5 million gallons per day would be 100 million dollars, according to GHD. The total cost to meet all the communities' needs is 150 million dollars. Bourne's cost would be 17.8 million dollars.

Ms. Peterson said they also created a ratepayer model for communities to use to evaluate the cost of other alternatives. She said that the report also outlines if the communities want to create a wastewater district. She said the entire report is available on their website.

There was discussion about percentages of nitrogen removal, discharge into the canal, and a regional wastewater district.

- 7.f. Discussion and possible vote relative to energy efficiency at the new Wastewater Treatment Facility** – Margaret Song, with Cape Light Compact, said that one of the things that the Energy Committee is focused on is reducing energy usage. One focus is on the new Wastewater Treatment Facility and figuring out what the costs are to run it. She said that one of the things that she recently brought forward to the Energy Committee was a soon-to-be-released grant from the Department of Environmental Protection from the State of Massachusetts, called the GAP grant, which is anticipated to be a 5-million-dollar grant and up to \$200,000 per community and will be focused

on drinking and wastewater facilities., with a specific sub-focus on energy efficiency and renewable energy.

Ms. Song said that they will go into the facility to do an assessment to see what could be eligible, then they will help to develop the materials. Mr. Cannon said that he has given the ok to start the process.

- 7.g. Discussion and possible vote on the request for maintenance support for their sewer system from the Hideaway Village Association** – Chair Mastrangelo said a request was referred to Town Counsel to determine what can be done and what agreements are in place and Town Counsel spent some time doing research on the original documents where Hideaway Village agreed to maintain the infrastructure on their property. He also looked for a 1990 grant of rights agreement that was the grant of rights for the Town to install the sewer lines and the infrastructure and which the Town did at the time. Town Counsel said there are possible ways to have an agreement where users could apply for equipment that the sewer system would provide and install.

She said that they are currently, with Environmental Partners, looking at the rate structure and the rate structure currently is that Hideaway Village pays 25% or 30% of the cost but they are down to about 8% of the usage. She said if the rates are restructured in such a way that the rate that they pay is more in line with the usage then the rate adjustment may solve the issues that they are having. Mr. Cannon said that this needs to be a priority with what Environmental Partners is working on for the Town of Bourne.

- 7.h. Discussion and possible vote to appoint members to the Wastewater Advisory Committee** – Chair Mastrangelo said that Dr. Jim Sullivan was voted by the Finance Committee to be the Finance Committee/Capital Outlay representative on the Wastewater Advisory Committee. Elmer Clegg was voted as the Planning Board representative. Allen Metcalfe will be serving as an ex-officio member, as the Mass Maritime representative.

Chair Mastrangelo said that a preliminary meeting of the Wastewater Advisory Committee will be held on March 21st.

Voted: Jared MacDonald moved, and George Slade seconded to appoint Dr. Jim Sullivan as the Finance Committee/Capital Outlay representative, Elmer Clegg as the Planning Board representative, and Allen Metcalf as an ex-officio member representing Mass Maritime Academy.

Jared MacDonald withdrew his motion. George Slade withdrew his second on the motion.

Voted: Judy Froman moved, and George Slade seconded to appoint the following members of the Wastewater Advisory Committee:

MJ Mastrangelo, Board of Sewer Commissioners

Dr. Jim Sullivan from the Finance Committee and Capital Outlay Committee member

Elmer Clegg as the Planning Board member

Stanley Andrews as the Board of Health member

Kathy Fox Alfano, at large member from the south of the canal

Keith Barber, at large member from the south of the canal

Chris Hyldburg, at large member from the north of the canal

Neil Langille, at large member from the north of the canal
 Tim Lydon, ex-officio representing the Engineering Department
 Terri Guarino, ex-officio as the Health Agent
 Allen Metcalf ex-officio, Mass Maritime Academy
 Glenn Cannon, ex-officio, Town Administrator
 Matt Sawicki, ex-officio, North Sagamore Water District

Roll Call Vote: Judy Froman – yes, Peter Meier – yes, Jared MacDonald – yes, George Slade – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

- 7.i. **Discussion and possible vote on the FY23 Sewer Department Operational Budget and the FY23 Sewer Capital Budget** – Deferred until next meeting.
- 7.j. **Update for the BOSC Policy Subcommittee** – Chair Mastrangelo said that the Subcommittee has been working on the regulations. She said they had to cancel a meeting and they will be meeting again this Thursday. Helen Gordon has provided some draft regulations with comments and questions. She said she would like to have a draft of the regulations for the March 22nd meeting.
- 7.a. **Update on the NEW Wastewater Treatment Facility – Joe Sullivan from CHA Companies will address the Board of Sewer Commissioners (BOSC) relative to noise complaints, operation of the new treatment facility and transfer of operations to Sewer Department** – Joe Sullivan did not attend this meeting; therefore, Glenn Cannon gave an update on the Wastewater Treatment Facility. Mr. Cannon said the Town of Bourne has taken control of the facility, and they will be assuming all the operational costs. The noise study has been completed, although he does not have the details. There is still a punch list that needs to be completed. The ball field needs to be re-seeded.

Chair Mastrangelo added that the certificate of substantial completion has been done. She said the Building Committee will stay on top of the punch list items until completed. She also said that there is necessary remediation done resulting from the noise study.

8. Future Agenda Items

- a) **Discussion of CWMP – next update 03/22/2022**
- b) **WIIF (Wastewater Infrastructure Investment Fund) - tbd**
- c) **Update Cape and Islands Water Protection Fund Strategy – tbd**
- 8.a. **Discussion of CWMP – next update 03/22/2022.**
- 8.b. **WIIF (Wastewater Infrastructure Investment Fund) – tbd** – Chair Mastrangelo said that this could be in conjunction with the CWMP.
- 8.c. **Update Cape and Islands Water Protection Fund Strategy – tbd** – Chair Mastrangelo said there was a conversation with Environmental Partners, and they will be involved in the conversation with DEP and the Cape and Islands, with Bourne so it becomes part of the plan for the financing of the CWMP.

9. Correspondence

Mr. Slade said there were 2 pieces of correspondence:

- Letter from Glenn Cannon on behalf of the Town and its Select Board and the Sewer Commissioners to the State, DEP, Environmental Protection Agency, and Nuclear Regulatory Commission stating opposition to the discharge of radioactive water from Pilgrim Nuclear Power Station into the Cape Cod Bay.
- Letter from Glenn Cannon on behalf of the Town and the Select Board and the Sewer Commissioners to George Papadopoulos, Environmental Engineer of USEPA conveying Bourne's comments on the NPDES permit number MA002368, Maritime Academy clarifying certain points on the discharge of wastewater into the canal.

Mr. Slade said that these letters can be found on the Town's website by going to the calendar, under today's date, clicking on Board of Sewer Commissioners, going to agenda, and scrolling to the bottom.

Ms. Froman added that when you open the documents, you can save them as bookmarked documents and have them be brought to each of the categories, so you do not need to scroll.

10. Adjourn

Voted: George Slade moved, and Jared MacDonald seconded to adjourn.

Roll Call Vote: Judy Froman – yes, Jared MacDonald – yes Peter Meier – yes, George Slade – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

Respectfully Submitted,

Kim Johnson, Recording Secretary