

**Board of Sewer Commissioners
Minutes of Tuesday, December 7, 2021
Bourne Veterans' Community Center
Buzzards Bay, MA**

ATA Glenn Cannon

Board of Selectmen

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

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TOWN CLERK BOURNE

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:** No Minutes to approve
7. **Board of Sewer Commissioners Business**
 - a. **Buzzards Bay Water District DEP water withdrawal permit status –**
 - (i) **Engineering Technician Timothy Lydon will update the Board of Sewer Commissioners on the status of the Buzzards Bay Water District DEP water withdrawal permit.**

Timothy Lydon said that the Buzzards Bay Water District had to impose a bit of a moratorium for large scale development because they were approaching their limits of their withdrawal permit. The Water Mitigation Act (WMA) is the permit. He said that the moratorium was over a year ago and since then they have worked with DEP and the Buzzards Bay Water District on coming up with a solution and extending the permit. On

October 29th, a letter was received stating that they will extend the permit for 10 years. A mitigation plan needs to be drawn up and the timing is good as it seems the mitigation will happen by doing the planned I&I work. Mr. Lydon talked about the mitigation steps and the study. There was some discussion on the measures that need to be taken in the study and mitigation. Acting Town Administrator Glenn Cannon said that the contract may need to be amended.

(ii) Update on status of allocations that were on hold pending the issuance of the withdrawal permit. Allocation letters to be sent.

Chair Mastrangelo said that Cape Cod Bay Motor Inn of 223 Main Street was granted approval after the Buzzards Bay Water Moratorium letter was sent on 8/3/20. She said they paid their fee.

Voted: Peter Meier moved, and Judy Froman seconded to lift the sewer allocation restriction based on the allowed Buzzards Bay Water District water use for the Bay Motor Inn in the amount of 11,985 gallons per day and notify the applicant that the allocation is approved. **Vote:** 5-0-0.

Voted: Judy Froman moved, and George Slade seconded to lift the sewer allocation restriction based on the allowed Buzzards Bay Water District water use for CMP Development LLC in the amount of 46,475 gallons per day and notify the applicant that the allocation is approved and the allocation fee of \$51,475 is payable in accordance with the allocation policy. **Vote:** 5-0-0.

b. Operational Allocation Request from Mass Maritime – MMA Cadet Housing, 11 Buttermilk Way – Discussion and possible vote on waiver to policy to issue the Operational Allocation. Discussion on Sewer Development Charges.

Christine Murphy, Project Manager, MSCPA, gave a background on the project. She said that they have finished the demolition of the beach moor on Mass Maritime land that is owned by the Mass State College Building Authority. The project is a 30,000 square foot 3 story new cadet housing, with 36 units with 72 beds. They have a letter from the Town of Bourne that they were granted a preliminary allocation of 7,070 gallons per day.

Mr. Cannon said normally they would wait until they were issued a building permit from the Town of Bourne's Building Department, and they would do this as a procedure. Mr. Cannon said that normally this does not come in front of the Board because it is all done in house, so he wanted to make sure the Board was aware that they are not coming in front of the Town for a building permit because they have a state building permit. They have requested that their preliminary be turned into their operation allocation. He said they do have standard conditions that they impose – approval of the sewer lines, the pipelines prior to back filling, a license on file for the drain layer, an as-built plan and a certification for the design engineer to be submitted for approval.

There was some discussion on operational allocation fee, and it was decided that it should be amended by the policy sub-committee.

Voted: Peter Meier moved, and Jared MacDonald seconded to issue the operational allocation based on the issuance of the building permit subject to the recommended conditions listed by the Acting Town Administrator. **Vote:** 5-0-0.

c. Comprehensive Wastewater Management Plan (CWMP) – Needs Analysis Presentation – discussion and comment.

Chair Mastrangelo just wanted to state for the record that they did have the Comprehensive Wastewater Management Plan presentation. Jared MacDonald said that he feels that people are confused over projects versus studies. George Slade that maybe some kind of statement or clarification needs to be made so that everyone understands the direction that the Town is going. There was some more discussion about how the presentation was expressed to the public and about the discussion of the outfall pipe.

Acting Town Administrator Glenn Cannon said that he thinks they should be more involved with the Board of Health and that maybe the Board of Sewer Commissioners and the Board of Health should have a joint meeting. He also said he thought the discussion about the grant program should be look at. Chair Mastrangelo said that she thought that there were many great ideas that came out of the presentation and discussion and there were a lot of people that were really engaged and enthusiastic about trying to solve the issues.

d. Discussion and possible vote on the Wastewater Advisory Committee charge and membership.

Peter Meier thinks that they have enough people for membership because if it gets too big there can be a hard time getting a quorum. Jared MacDonald said he thinks that Mass Maritime is a good representative to have available but that can be done within the Board, within the committee itself. Judy Froman said that she likes the idea of Mass Maritime being a little more formal because they are a huge resource. Chair Mastrangelo said that this committee is more of a workshop kind of committee and the committee will not have the authority to make decisions.

There was some more discussion on membership and about the wording of the charge. There was also discussion about whether a recording secretary would be hired or if a clerk from the membership would prepare the meeting minutes. Mr. Cannon said that he would hope that they could appoint a clerk to record minutes from the committee as it is difficult to hire recording secretaries currently. There was discussion about Bourne TV recording the meetings of the Wastewater Advisory Committee and how helpful these Bourne TV recordings are for the public and for the committee and board members.

Voted: Peter Meier moved, and Judy Froman seconded to approve the Wastewater Advisory Committee Charge as submitted and amended in discussion.

The discussion on the charge of the Wastewater Advisory Committee continued and the membership was changed to include the following:

1. BOSC Representative
2. Finance Committee/Capital Outlay Representative

3. Planning Board Representative
4. Conservation Commission Representative
5. Board of Health Representative
- 6 & 7 2 At Large Member(s) from North of the Canal
- 8 & 9 2 At Large Member(s) from South of the Canal

Ex-officio members:

Health Agent,
Town Engineer,
Conservation Agent,
Town Administrator or Designee
DPW and/or Sewer Department
Mass Maritime
Planning Department
Water District Superintendent or Designee

Chair Mastrangelo said that they will re-draft the membership and if anyone has comments they can forward them to Mr. Cannon and then they will get it out. Chair Mastrangelo asked if there was any public comment and Mr. Dwyer said that he thought they should consider having one or more representatives provide explicit outreach to the different community groups, like the summer residents, homeowners associations, and beach associations, as he feels it can help with the skepticism. The Board discussed Mr. Dwyer's suggestion and they agreed and will add the proper wording to the charge.

Vote: 5-0-0.

e. Discussion on Special Town Meeting Article 11 –

- (i) **Discussion and possible vote to have the Board of Sewer Commissioners authorize the Town Administrator to contact DEP and EPA to request that the Town of Bourne and the Boards of Selectmen and Sewer Commissioners be notified by DEP/EPA about any NPDES permits for outfalls in Buzzards Bay, the Cape Cod Canal and Cape Cod Bay that are applied for, reviewed, or amended as well as notification of the comment period for any NPDES permits under review and notification of an events that are reported to DEP/EPA regarding an NPDES permits.**

Chair Mastrangelo said she had previously requested to be notified of any permits or revisions that were done by the DEP/EPA mutual office, and after the Town Meeting she asked them if the Town of Bourne would be notified of any permits and they said not unless you asked, so she feels it is time to ask.

Voted: Peter Meier moved, and Judy Froman seconded to authorize the Acting Town Administrator to request from the Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) any and all National Pollutant Discharge Elimination System (NPDES) permits, that the Town of Bourne and the Board of Sewer Commissioners be notified by DEP/EPA about any NPDES permits for outfalls in Buzzards Bay,

the Cape Cod Canal and Cape Cod Bay that are applied for, reviewed, or amended, as well as notification of the comment period for any NPDES permits under review and notification of any events that are reported to DEP/EPA regarding any NPDES permits.

Chair Mastrangelo said that also though it is not in the agenda or motion, that one of the things she thinks the Board of Selectmen could add at some point is the NDCAP, which is the committee advising Governor Baker on the Plymouth plant decommissioning and any discharges of radioactive water. Peter Meier said that they will be discussing at the next Board of Selectmen meeting.

Vote: 5-0-0.

(ii) Next steps on regional discussions with Wareham.

Voted: Jared MacDonald moved, and Judy Froman seconded to authorize the Acting Town Administrator on behalf of the Board of Sewer Commissioners to contact the Wareham Town Administrator relative to the sewer billing as outlined in the June 11, 2019, agreement between the Town of Bourne and the Town of Wareham. **Vote:** 5-0-0.

Voted: Judy Froman moved, and Jared MacDonald seconded to authorize the Acting Town Administrator on behalf of the Board of Sewer Commissioners to contact the Wareham Town Administrator relative to the Town of Wareham intention relative to advancing the Upper Bay Project.

There was a brief discussion on the importance of this motion. **Vote:** 5-0-0.

f. Update on informational brochure for sewer users on the new Wastewater Facility.

Chair Mastrangelo asked Mr. Cannon if the informational brochure has gone out, and Mr. Cannon said that it went out with the sewer bills. Judy Froman asked if it is also on the website and Mr. Cannon said it is and he said he would work on getting it highlighted better. Peter Meier pointed out a couple of typos on the brochure and an issue with who to call for an emergency, and as a result it will be decided who is best for the public to call.

g. Discussion and possible vote to authorize the Chair of the Board of Sewer Commissioners to initiate discussions with administration and the Community Preservation Committee on the possibility of reducing the CPA surcharge and utilizing the reduction to establish and fund a WIIF (Wastewater Infrastructure Investment Fund).

Chair Mastrangelo said that both Sandwich and Mashpee have done this to help finance their Wastewater plans and there have been some discussion in the Town of Bourne about this.

Voted: Peter Meier moved, and Judy Froman to authorize the Chair of the Board of Sewer Commissioners to initiate discussions with the Community Preservation Committee on the possibility of reducing the CPA surcharge and utilizing the reduction to establish and fund a WIIF (Wastewater Infrastructure Investment Fund).

8. Future Agenda Items

- a) **6-month allocation reviews – 1/25/22 – notification to be sent to owners**
- b) **Discussion of WIIF (Wastewater Infrastructure Investment Fund) – 1/25/22**
- c) **Update Cape and Islands Water Protection Fund Strategy – 1/25/22**
- d) **Update from the Policy Sub-Committee – 1/25/22**
- e) **Capital Plan Discussion – FY23 Requests, 5-year plan and ARPA Funding Discussion – 1/25/22**

9. Correspondence

There was no correspondence.

10. Adjourn

Voted: Jared MacDonald moved, and Judy Froman seconded to adjourn. **Vote:** 5-0-0.

Respectfully Submitted,

Kim Johnson, Recording Secretary