

**SELECTMENS TASK FORCE ON LOCAL POLLUTION
SEWER COMMISSIONERS**

MEETING NOTICES 2019

Vol. 7



SELECTMEN'S TASK FORCE ON LOCAL POLLUTION AND PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT GROUP

MEETING NOTICE

Location: Pocasset Community Club
314 Barlows Landing Road, Pocasset, MA

Date: Monday – January 14, 2019

Time: 7:00 P.M.

Agenda Topics

- 1) Comment period for non-agenda items
- 2) Approve minutes from last meeting on 12/10/18
- 3) Pocasset Groundwater Cleanup, re: Joint Base Cape Cod Group
- 4) Stormwater Bylaw Regulations, Issues, Updates, re: Tanker Truck Fuel Spill at Bourne Rotary on 3/24/15, Permanent Solutions Statement Final Report
- 5) Water quality issues the Town should address in the next 5 years
 - a) Local Comprehensive Plan, Revision Drafts received
 - b) Areas of Focus List: Develop/Review/Prioritize
 - c) Action Plans: Develop/Enact specific motions (ex: Hens Cove)
- 6) Future Agenda Items
 - a) Review Compliance Reports
 - b) Membership: Recruitment
- 7) Date and Time of Next Meeting
- 8) Adjourn

Jennifer Cheyne, Chair
January 7, 2019



SELECTMEN'S TASK FORCE ON LOCAL POLLUTION AND PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT GROUP

MEETING NOTICE

Location: Pocasset Community Club
314 Barlows Landing Road, Pocasset, MA

Date: Monday – February 11, 2019

Time: 7:00 P.M.

Agenda Topics

- 1) Comment period for non-agenda items
- 2) Approve minutes from last meeting on 1/14/19
- 3) Develop blueprint for a Report to the Selectmen
- 4) Stormwater Bylaw Regulations, Issues, Updates, re: Review Compliance Reports
- 5) Continue plan for a second presentation, re: Joint Base Cape Cod Group Pocasset Groundwater Cleanup
- 6) Water quality issues the Town should address in the next 5 years
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2019 FEB -4 PM 12:32
TOWN CLERK DORRIS

02/04/2019

Jennifer Cheyne, Chair
February 4, 2019

**Selectmen's Task Force on Local Pollution and
Phase II Stormwater Management Community Oversight Group
Minutes of Monday, February 11, 2019
Pocasset Community Building, Pocasset, MA 02559**

Committee Members: Chair Jennifer Cheyne, Stewart Bell, Christine Kane, Kim Kane, Chris Pine, and Edward Brodzinski.

Guest:

Documents

Meeting Called to Order

Chm. Cheyne called the meeting to order at 7:04 pm.

1) Comment Period for Non-agenda Items:

Kim Kane brought up the article Plan for the Future from the Bourne Courier on January 30, and the Dog Waste and Surface Water Quality pamphlet, by the Stormwater Working Group. Jennifer Cheyne read who the members are of the Phase II Stormwater Management Program Working Group. A member of the Planning Board, employee of the Department of Public Works, an employee of the Board of Health, the Conservation Agent, the Town Planner, an employee of the Engineering Department. At one point it also included Tim Mullen from the Department of Natural Resources and the Town Administrator. Ms. Cheyne read what their purview is. They do the notice of intent and the permitting.

2) Approval Minutes of 1/14/19

Voted Stewart Bell moved and seconded by Christine Kane to approve the minutes from January 14th. Vote 6-0.

Chris Pine and Christine Kane will work on setting up a google drive for the minutes and information from the meeting for the Selectmen's Task Force on Local Pollution and Phase II Stormwater Management Community Oversight Group.

Voted Stewart Bell moved and seconded by Christine Kane to take agenda item 6 as the next item on the agenda. Vote 6-0.

6) Water quality issues the Town should address in the next 5 years

- a) Local Comprehensive Plan, Revision Drafts received
- b) Areas of Focus List(s): Develop/Review/Prioritize
- c) Action Plans: Develop/Enact specific motions

RECEIVED

2019 MAR 25 AM 11:56
TOWN CLERK BOURNE

Selectmen's Task Force on local pollution and Phase II Stormwater Management Community Oversight Group

Jennifer Cheyne said that Wes Ewell sent the drafts that he discussed at the December meeting of the Selectmen's Task Force on Local Pollution and Phase II Stormwater Management Community Oversight Group with request for any suggestions, questions, notes, or corrections this group may have; and stated that he would be willing to attend another meeting if requested.

Chris Pine spoke about the Water Resources document and suggested adding the highlighted section: Former seasonal homes on lots as small as 5,000 square feet are now being replaced or converted to year-round dwellings that exacerbate the problems of on-site septic systems. It is crucial that Bourne work toward sewerage or improving the performance of onsite septic systems in densely developed neighborhoods, including Monument Beach, Gray Gables, Tahanto, Pocasset Heights, Patuisset, and Cedar Point. Mr. Pine and Ms. Cheyne suggested under the Water Resources Actions to add the highlighted sections: Initiate a continuing public education program on the effects of pollution from septic systems, stormwater runoff, yard fertilization, recreational boating, pet waste, over-development, and septic system runoff.

Add an additional bullet for: Improve communications between town, state and federal officials to coordinate policies and programs related to water quality.

The committee suggested for every dog license given they should also get a dog waste pamphlet.

Jennifer Cheyne said a lot of the items on the LCP spreadsheet are not done so it doesn't represent a completed list. It seems like the water quality items weren't completed and it looks like they are not being addressed. The notes from Wes Ewell covered what we suggested in the meeting but it wasn't transferred to the new LCP drafts. We had a problem with the wording "Vigorously Support" on the bullet line: Vigorously support the Massachusetts Military Reservation pollution cleanup and on Support the Pond and Lake Stewardship (PALS) program; What does the "support" mean. That is why we had given him specifics for what that support would be. We specifically had a goal for the revised LCP to add To Adopt Comprehensive Stormwater Regulations; that isn't on the Wetlands Resources, Ocean Resources, or the Water Resources.

Ms. Cheyne said we told Wes Ewell that we would like the Bay Health Index Goal to remain in the revised plan; it isn't on the revised plan. (From Wes Ewells notes: The committee chair strongly disagreed with the idea that the policy to remediate, treat, or contain all sources of pollution in coastal embayments and waterfronts in order to attain a Bay Health Index of good to excellent is an impossible goal that should be softened. The committee would like to have that statement remain in the revised plan.)

Ms. Cheyne read from Wes Ewell's notes: The LCP should encourage town officials to take advantage of grant opportunities for pollution mitigation and prevention, and to assign or engage a person to actively pursue such grants. That wasn't included.

Kim Kane suggested to invite Wes Ewell back so we can ask him questions. Chris Pine suggested to reply to Mr. Ewell with our edits so he has a chance to review them then he can come back with answers.

Jennifer Cheyne said most of what we were sent as notes from our meeting with Wes Ewell is not in the new plan; the committee members agreed.

Jennifer Cheyne said she was given the impression that wording on some of the bulleted items was going to be worked on, but it wasn't. Ms. Cheyne questioned what is the "support" regarding the bullet point Vigorously support the Massachusetts Military Reservation pollution cleanup. What is the action step? What is Bourne's involvement in the bullet point Support the Pond and Lake Stewardship (PALS) program to compile a biological, chemical and physical profile of each fresh water pond and waterway, and continually monitor all fresh water areas for changes in the profile. What is the support?

Jennifer Cheney said the mention of the Massachusetts Military Reservation pollution cleanup is regarding the major plums that is threatening our sole source aquifer, which right now all work has been suspended by the Trump Administration, so this is a concern.

Chris Pine said recognizing it and part of this process and part of our function for this group is to hold the town accountable for these actions. Ms. Cheyne spoke about the survey and the fact that water quality is the most important issue, but it doesn't look like they are using the survey as a guide for some of their action items.

Stewart Bell spoke about the last article from the LCP regarding Economic Growth being the most important to the public.

Ms. Cheyne said one of the Water Quality Resource goals is to *Phase out use of synthetic chemical fertilizers and pesticides in favor of low-nitrogen organic and natural biological treatment methods*. We gave them a few ideas on how that can be turned into action steps, none of those are under the action steps. Under Wetland Resources under actions: Protect beaches, dunes, coastal banks, and salt marshes from human alteration. We should add the word human. On bulleted action item Prohibit and remove stormwater discharges into wetlands and buffer areas – by what mechanism – regulations/bylaws? Under Actively promote public awareness of the value of wetlands and the importance of protecting them. – By what mechanism? *Under Seek funding to support remediation efforts of impaired coastal embayments*. – By what mechanism - Grants? Ms. Cheyne spoke about the grant notification that Mr. Haines sent, the information meeting date and the follow up meeting to tell you how to fill out the grant had already passed. The application deadline is February 27th, we would need someone to write the grant.

Ms. Cheyne spoke about the Ocean Resource document. This action item was accomplished: *Actively pursue actions recommended in Bourne's 2018 Hazard Mitigation Plan and the Cape Cod Commission's Regional Policy Plan*. Regarding Support organizations and programs that monitor and evaluate the health of coastal waters, including the Coalition for Buzzards Bay,

Massachusetts Estuaries Project, Buzzards Bay Project and others. We don't know what "support" means. Regarding Use the Waterways Improvement Fund to support rapidly increasing costs of coastal dredging, facilities maintenance, and environmental quality activities. - Define environmental quality activities. Regarding Continue to monitor use of, and enforce regulations related to, waterfront fueling facilities, sewage pump-out stations, boats, storm drains, and septic disposal systems. This is where there should be additional regulations under the Clean Water Act. This is under our Phase II Storm Water Management Community Oversight Group. This is where the Regulation/Bylaw required under the Clean Water Act should be.

Chris Pine said some actions are more specific than others. It is worth it to question Wes Ewell if we make these more specific will it work.

Jennifer Cheyne said to the committee members if anyone has any comments, notes, suggestions, edits, to please send them to her.

Voted Stewart Bell moved and seconded by Kim Kane to enlist the Chairs efforts to communicate with Wes Ewell about our reservations with the current draft, the LCP and our disappointment and to send him a copy of the language we would like to see in the report, and to invite him to our March meeting. Vote 6-0.

6b. Areas of Focus List(s): Develop/Review/Prioritize

Jennifer Cheyne said this is what we want to keep in mind, as we work on this, we are hoping to develop a focus list and start to break that down into action plans.

3) Develop blueprint for a Report to the Selectmen

Jennifer Cheyne said the annual report I submitted to the Selectmen for the town is now available, we are on page 162. We are already into the next report because of the lag time, so as you read the report use it as a focus for what you would like to see going forward. We also spoke about doing a report for the selectmen annually or by-annually.

Chris Pine said his suggestion was that various committees get time on the Selectmen's agenda to give a report and have a dialog with them. It would be good for us to present a report to the Selectmen annually or by-annually.

Stewart Bell said we could report to them for their guidance on some issues as well as our making recommendations.

Ms. Cheyne said any officer on this committee could make a presentation to the Selectmen. We need to work on what we want to present so when we do have time in front of the Selectmen we will have substantial information that will have value.

It was suggested and agreed by the committee members to request to be put on the Selectmen's agenda and have a member from this committee give a presentation for what this committee is working on.

4) Stormwater Bylaw Regulation, Issues, Updates re: Review Compliance Reports

Jennifer Cheyne said the town website has been updated so to review the current reports go to Department – Engineering – scroll down to Stormwater, you'll see the three links: [MS4 Stormwater Permit Overview](#), [MS4 Stormwater Outfall Map](#), [MS4 Phase II Notice of Intent \(NOI\)](#). Under the Notice of Intent, it mentions under responsible parties Staff Stormwater Working Group. Our group oversees what they are doing as well as towns submitting the compliance reports. It also allows us to say what we would like to see in the reports. One of our responsibilities is to oversee these reports.

Jennifer Cheyne questioned if Edward Brodzinski found the reports on the rollover spill on the Bourne Rotary. Edward Brodzinski couldn't find the report, if they did an immediate response action, they usually do a report on immediate response actions every six months.

Edward Brodzinski said if you put the town of Bourne in and search you should get a list of all the spills in Bourne.

[https://eeaonline.eea.state.ma.us/portal#!/search/wastesite/results?TownName=B
OURNE](https://eeaonline.eea.state.ma.us/portal#!/search/wastesite/results?TownName=BOURNE)

5) Continue plan for a second presentation, re: Joint Base Cape Cod Group Pocasset Groundwater Cleanup

Jennifer Cheyne said the committee agreed we were going to continue to talk about the plan for a second presentation – continued from the last meeting. We have an update on When. Under the When for the continue plan for a second presentation one of the Cons is the Press availability on a Saturday. Kim Kane said she will research possible available dates for June. Kim Kane questioned do we need every citizen present for the presentation, including the snowbirds?

Who:

- Pocasset Village Association Members
- Cedar Point Association Members
- Pocasset Height Association Members
- Selectmen and other appropriate Town employees: Sam Haines, etc.
- Press: Paul Gately of the Bourne Courier, Mike Rausch of the Enterprise, etc.

Selectmen's Task Force on local pollution and Phase II Stormwater Management Community Oversight Group

What:

- Focus on just one piece of what was a very large presentation
- Focus on just one presenter
- Focus on the plume coming together under Flax Pond that is headed to Hens Cove

Where:

- Pocasset Community Club, 314 Barlows Landing Rd.

When:

- Con – Press Availability on Saturday
- Possibly a Saturday at 9:30 am (starts at 9:30 a.m. - not a come and go drop in type meeting)
- Possible dates in June, based on availability – Kim Kane will research

Why:

- Of particular concern to the residents of Pocasset
- 4 homes already have undrinkable water, more being monitored
- A direct threat to Hens Cove, the condition of which is already of concern to local residents
- People with a high level of interest in a site can petition to make it a “public involvement plan” site, re: the MassDEP Waste Site Cleanup Program fact sheet
- The MCP encourages citizens to participate in the process of investigating and cleaning up contaminated properties, and requires the person performing the cleanup to provide specific opportunities to participate, re: Chapter 21E/Mass Contingency Plan fact sheet

How:

- Figure out which presenter from the Joint Base Cape Cod Group can do what. One from the National Guard and/or one from the Air Force.
- E-mail the various Association Member Groups
- Invite Selectmen and other appropriate Town employees: Sam Haines, etc.
- Seek Publicity: reach out to Paul Gately of the Bourne Courier, Mike Rausch of the Enterprise, Beth Treffeisen Cape Cod Times, etc.

Jennifer Cheyne said looking at the survey, out of the 702 responses 26 were snowbirds; 49 are not residents of Bourne, which is a small part of 702; but if those 49 are residents of Cedar Point, it may be a majority.

Kim Kane spoke about the times they had the PBA meetings on Saturday, 9:30 on a Saturday morning seemed to be the best time.

The committee members agreed that the meeting will be at the Pocasset Community Building.

Stewart Bell questioned who to request to present; the one from the National Guard and/or Air Force. Kim Kane will get in touch with Rose Forbes - Civil Engineering Center Air Force, Douglas Carson, and Lenny Pennant.

7) Future Agenda Items

- 1) Comment period for non-agenda items
- 2) Approve minutes from 2/11/19
- 3) Stormwater Bylaw Regulations
- 4) Local Comprehensive Plan, Revision Drafts - Second Meeting with Wes Ewell
- 5) Second presentation, re: Joint Base Cape Cod Group Pocasset Groundwater Cleanup
- 6) Continue recruitment of new members
- 7) Future Agenda Items
- 8) Date and time of the next meeting

8) Date and Time of Next Meeting

March 11, 2019 at 7:00 p.m. at the Pocasset Community Building

9) Adjourn

Voted Stewart Bell moved and seconded by Chris Pine to adjourn. Meeting adjourned at 8:36 p.m. Vote: 6-0

Respectfully submitted
Carole Ellis
Scribe

**Selectmen's Task Force on Local Pollution and
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6) Water quality issues the Town should address in the next 5 years

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RECORDED
2019 MAR 25 AM 9:12
TOWN CLERK OFFICE

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- 4) Local Comprehensive Plan, Revision Drafts - Second Meeting with Wes Ewell
- 5) Second presentation, re: Joint Base Cape Cod Group Pocasset Groundwater Cleanup
- 6) Continue recruitment of new members
- 7) Future Agenda Items
- 8) Date and time of the next meeting

8) Date and Time of Next Meeting

March 11, 2019 at 7:00 p.m. at the Pocasset Community Building

9) Adjourn

Voted Stewart Bell moved and seconded by Chris Pine to adjourn. Meeting adjourned at 8:36 p.m. Vote: 6-0

Respectfully submitted
Carole Ellis
Scribe



SELECTMEN'S TASK FORCE ON LOCAL POLLUTION AND PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT GROUP

MEETING NOTICE

Location: Pocasset Community Club
314 Barlows Landing Road, Pocasset, MA

Date: Monday – March 11, 2019

Time: 7:00 P.M.

Agenda Topics

- 1) Comment period for non-agenda items
- 2) Approve minutes from last meeting on 2/11/19
- 3) Local Comprehensive Plan Revision: Second Meeting with Wes Ewell to review notes on first draft of Water, Wetland, and Ocean Resources Elements
- 4) Stormwater Bylaw Regulations, Issues, Updates, re: MASSTC (The Massachusetts Alternative Septic System Test Center)
- 5) Continue plan for second presentation, re: Joint Base Cape Cod Group Pocasset Groundwater Cleanup
- 6) Future Agenda Items
 - a) Membership: Recruitment
 - b) Review Compliance Reports
 - c) Report to the Selectmen
 - d)
- 7) Date and Time of Next Meeting
- 8) Adjourn

Jennifer Cheyne, Chair
March 5, 2019

2019 MAR -5 PM 12:23
TOWN OF BOURNE
RECORDED

**Selectmen's Task Force on Local Pollution and
Phase II Stormwater Management Community Oversight Group**

Minutes of Monday, March 11, 2019

Pocasset Community Building, Pocasset, MA 02559

Committee Members: Chair Jennifer Cheyne, Stewart Bell, Kim Kane, Christine Kane and Chris Pine. Excused: Edward Brodzinski. No scribe available for this meeting.

Guests: Wesley Ewell, Frank Gasson

Meeting Called to Order: Chair Cheyne called the meeting to order at 7:02 pm

1) Comment Period for Non-agenda Items:

Kim Kane shared the Joint Base Cape Cod public meeting schedule she receives by mail each month from the Massachusetts National Guard Environmental & Readiness Center. In March there are three meetings: the Science Advisory Council/AD Hoc Committee, the Joint Base Cape Cod Cleanup Team, and the Community Advisory Council. She can provide this schedule to us any time or you can send your email address to Sally.a.hartmann.nfg@mail.mil to receive the calendar by email.

Stewart Bell shared an excerpt from an *Associated Press* article on February 20th that the Supreme Court has agreed to hear a case involving the Clean Water Act and “whether permits are required under the law when the pollutant is released into soil or ground water but later reaches navigable waters.” He also shared an article from the February 19th issue of the *New York Times* that the Environmental Protection Agency “said it will start work by the end of the year on a long-awaited plan to set national drinking-water limits for two harmful [PFA] chemicals linked to...health issues.” However, “given the available data on the effect of PFAs chemicals, environmentalists criticized the EPA’s response as inadequate to the threat.”

2) Approval of Minutes for February 11, 2019

Voted Stewart Bell moved and seconded by Kim Kane to approve the minutes from February 11, 2019. Vote 5-0.

2019 APR 24 PM 3:05

RECEIVED

3) Local Comprehensive Plan Revision: Second Meeting w/Wes Ewell to review notes on first draft of Water, Wetland, and Ocean Resources Elements

A general discussion ensued among all members and the guests debating the pros and cons of a number of variables within each element, asking questions about the notes received from the Conservation Commission meeting of 2/21/19, explaining notes sent to Wes after the Taskforce meeting of 2/11/19, and pointing out additional/missing items members would like to see in the next draft. The most notable of these:

- a) A by-law (or other regulation) for fertilizer use to control nitrogen run-off; the Falmouth and Mashpee fertilizer by-laws were cited as examples.
- b) That the Town promote alternative septic systems as well as "neighborhood wastewater treatment systems..."; the success of the West Falmouth Nitrogen-Reducing Septic System Demonstration Project was cited as an example.
- c) Phase out the use of Glyphosate products in the Town and educate residents to recycle them as toxic waste. Glyphosate is the active ingredient in Round-up and in many herbicides (like those used under power lines) and has been proven harmful to humans and pollinating bees.
- d) A stormwater by-law (or other regulation) to advance the Town's progress on meeting the Phase II Stormwater Management requirement of the Clean Water Act.
- e) To assign or engage a person to actively pursue the many grant opportunities available each year (especially mini-grants) for pollution mitigation and prevention.
- f) To assign an official of the Town as liaison between the Town, the Joint Base Cape Cod Pocasset Groundwater Cleanup Group and the residents -- especially those directly affected by the plume emanating from firefighting foam used at the Otis Rotary that has so far contaminated the fresh water at four homes and is headed towards Hens Cove.
- g) Improve communications between town, state, and federal organizations to facilitate and support water quality policies and programs.

Wes Ewell reviewed the process going forward. He will send us the second draft of our three elements with these changes, as well as others he has received. We can look for updates anytime on the dedicated website: TownofBourneLCP.com and we can continue to send him changes and suggestions until mid-June. There will then be a public hearing of the LCP before it is submitted to the Cape Cod Commission for review and, finally, it will go before the October Special Town Meeting for approval. Once approved and the official plan of the Town, each action item will be assigned to a group or individual. Copies of the plan will also be made available as a reference to assist the various committees and boards of the Town.

Wes thanked the members and guest for their thoughtful contributions and excused himself from the meeting.

4) Stormwater Bylaw Regulations, Issues, Updates, re: MASSTC (The Massachusetts Alternative Septic System Test Center)

Chris Pine shared a February 17th article from the Falmouth News section of capenews.net entitled *Septic System Pilot Project to Receive State Funds*. The Falmouth Water Quality Management Committee voted "to recommend that a \$25,000 state budget earmark for a water-quality improvement project go to the Massachusetts Alternative Septic System Test Center to subsidize installing three innovative/alternative septic systems in a Falmouth watershed as part of a pilot project." State Rep. Dylan Fernandes (D-Falmouth) and State Senator Vinny deMacedo (R-Plymouth) "added the earmark to the state budget last year." Chairman Eric Turkington "said the earmark would expand an existing grant program...to encourage West Falmouth residents to install I/A systems on their properties."

Mr. Pine suggested it would be well worth the effort to initiate a dialogue with our representatives to pursue this type of state budget earmark and work with MASSTC on just such a pilot program for Hens Cove. The members agreed it was a good idea and worth exploring further on a future agenda.

5) Continue plan for second presentation, re: Joint Base Cape Cod Group Pocasset Groundwater Cleanup

Kim Kane reviewed what she had ascertained to date and Frank Gasson was asked about the make-up and number of Cedar Point & Pocasset Height Association members. A general discussion ensued among members and remaining guest debating the pros and cons of a number of variables as to timing, scope, audience, publicity, etc.

Additions/changes were made to the Who, Where, and When sections of the summary format, with further details to be fleshed out at the next meeting:

Who:

- Pocasset Village Association Members
- Cedar Point Association Members: comprised of 66 homes, 22 of which are year-round residents (2 of those are year-round rentals)
- Pocasset Height Association Members: similar ratio but comprised of more homes
- Selectmen and other appropriate Town employees: Sam Haines, etc.
- Press: Paul Gately of the Bourne Courier, Mike Rausch of the Enterprise, etc.

What:

- Focus on just one piece of what was a very large presentation
- Focus on just one presenter
- Focus on the plume coming together under Flax Pond that is headed to Hens Cove

Where:

- Pocasset Community Club, 314 Barlows Landing Rd.
 - > Pro: is available more than one Saturday in June
 - > Con: limited size and parking

When:

- A Saturday in June, at 9:30 am: includes the Summer residents and best attendance time based on Pocasset Village Association meetings
- May limit some Press availability
- Cedar Point Association has a neighborhood yard sale each year in June, date unknown

Why:

- Of particular concern to the residents of Pocasset
- 4 homes already have undrinkable water, more being monitored
- A direct threat to Hens Cove, the condition of which is already of concern to local residents
- People with a high level of interest in a site can petition to make it a “public involvement plan” site, re: the MassDEP Waste Site Cleanup Program fact sheet
- The MCP encourages citizens to participate in the process of investigating and cleaning up contaminated properties, and requires the person performing the cleanup to provide specific opportunities to participate, re: Chapter 21E/Mass Contingency Plan fact sheet

How:

- Figure out which presenter from the Joint Base Cape Cod Group can do what
- E-mail the various Association Member Groups
- Invite Selectmen and other appropriate Town employees: Sam Haines, etc.
- Seek Publicity: reach out to Paul Gately of the Bourne Courier, Mike Rausch of the Enterprise, etc.

Voted Stewart Bell moved and seconded by Chris Pine to grant Kim Kane the authority to negotiate on behalf of the Taskforce and book both the facility and the speaker for this presentation. Vote 5-0.

6) Future agenda items

- 1) Comment period for non-agenda items
- 2) Approve minutes from 3/11/19
- 3) 2nd JBCCG Pocasset Groundwater Cleanup Presentation
- 4) LCP Second Draft Review

- 5) Stormwater Bylaw Regulations and Issues, re: MASSTC
- 6) Boat Bottom Paint (a.k.a. antifouling paint)
- 7) Future Agenda Items
 - a. Continue recruitment of new members
 - b. Report to Selectmen
- 8) Date and time of the next meeting

8) Date and Time of Next Meeting:

The next meeting will be Monday, April 8, 2019 at 7:00 p.m. in the Pocasset Community Building.

9) Adjourn

Voted Chris Pine moved and seconded by Kim Kane to adjourn at 8:50 p.m. Vote: 5-0.



SELECTMEN'S TASK FORCE ON LOCAL POLLUTION AND PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT GROUP

MEETING NOTICE

Location: Pocasset Community Club
314 Barlows Landing Road, Pocasset, MA

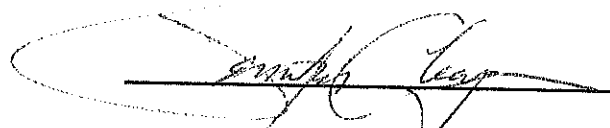
Date: Monday – April 8, 2019

Time: 7:00 P.M.

2019 APR -3 PM 12: 26
TOWN OF BOURNE

Agenda Topics

- 1) Comment period for non-agenda items
- 2) Approve minutes from last meeting on 3/11/19
- 3) Finalize particulars for second presentation, re: Joint Base Cape Cod Group Pocasset Groundwater Cleanup
- 4) Local Comprehensive Plan Revision: Second Draft Review of Water, Wetland, and Ocean Resources Elements (plus "new" Wildlife and Plant Habitat element)
- 5) Stormwater Bylaw Regulations, Issues, Updates, re: MASSTC (The Massachusetts Alternative Septic System Test Center)
- 6) Future Agenda Items
 - a) Boat Bottom Paint (aka antifouling paint)
 - b) Report to the Selectmen
 - c) Review Compliance Reports
 - d) Membership: Recruitment
- 7) Date and Time of Next Meeting
- 8) Adjourn


Jennifer Cheyne, Chair
April 2, 2019



SELECTMEN'S TASK FORCE ON LOCAL POLLUTION AND PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT GROUP

MEETING NOTICE

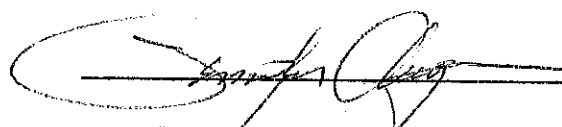
Location: Pocasset Community Club
314 Barlows Landing Road, Pocasset, MA

Date: Monday – June 10, 2019

Time: 7:00 P.M.

Agenda Topics

- 1) Comment period for non-agenda items
- 2) Approve minutes from meeting on 5/13/19
- 3) Guest Eric Turkington: to discuss Falmouth's efforts to improve water quality in our local estuaries
- 4) Joint Base Cape Cod Group Pocasset Groundwater Cleanup: follow-up review of May 25th presentation to Pocasset citizen associations
- 5) Stormwater Bylaw Regulations, Issues, Updates, re: Review of The Bourne Storm Water Management Plan – Draft
- 6) Bourne's Local Comprehensive Plan: final draft revision and timeline
- 7) Future Agenda Items
 - a)
 - b) Report to the Selectmen
 - c) Boat Bottom Paint (aka antifouling paint)
 - d) Alternative Venues for Membership Recruitment
- 8) Date and Time of Next Meeting
- 9) Adjourn


Jennifer Cheyne, Chair
June 4, 2019



SELECTMEN'S TASK FORCE ON LOCAL POLLUTION AND PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT GROUP

MEETING NOTICE

Location: Pocasset Community Club at 314 Barlows Landing Road, Pocasset, MA

Date: Monday – August 12, 2019

Time: 7:00 P.M.

Agenda Topics

- 1) Comment period for non-agenda items
- 2) Approve minutes from last meeting on 6/10/19
- 3) Letter of Support for Frank Gasson's Community Preservation Act Fund Request
- 4) Stormwater Bylaw Regulations, Issues, Updates:
 - a) Proposed zoning bylaw changes for MS4 permit compliance – presented to Planning Board at August 8th meeting, then goes to October Town Meeting
 - b) Stormwater Management Plan – responses received to comments we submitted
- 5) Goal: improve water quality in our coastal estuaries
 - a) fund a comprehensive evaluation and plan, re: Eric Turkington's advice
 - b) Community Association efforts: CPA funded engineering study, letters to the Select Board, etc
 - c) Bourne's Local Comprehensive Plan, to be presented at October Town Meeting
 - d) Final Stormwater Management Plan + zoning bylaw changes = what actual impact?
- 6) Future Agenda Items
 - a) Membership Recruitment: at Oct Town Meeting? (Alternative Venue results?)
 - b)
- 7) Date and Time of Next Meeting: September 9th at 7:00 pm
- 8) Adjourn

Jennifer Cheyne, Chair
August 5, 2019



SELECTMEN'S TASK FORCE ON LOCAL POLLUTION AND PHASE II STORMWATER MANAGEMENT COMMUNITY OVERSIGHT GROUP

MEETING NOTICE

Location: Pocasset Community Club at 314 Barlows Landing Road, Pocasset, MA

Date: Monday – October 14, 2019

Time: 7:00 P.M.

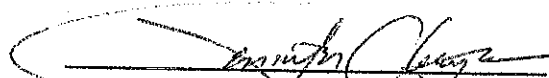
Agenda Topics

- 1) Comment period for non-agenda items
- 2) Approve minutes from last meeting on 8/12/19
- 3) Frank Gasson's Community Preservation Act Fund Request Update
- 4) Pocasset Water Quality Coalition (PWQC) Formulating Committee Update
- 5) Stormwater Bylaw Regulations, Issues, Updates, re: Proposed zoning bylaw changes for MS4 permit compliance; approved by Planning Board at August 8th meeting, going before the Town at October 28 Special Town Meeting
 - a) Feedback received from Bernie Taber of the Buzzards Bay National Estuaries Program
 - b) Feedback received from Robert Dwyer, retired scientist and President of PVA
- 6) PFAS (per- and polyfluoroalkyl substances)
 - a) in the news
 - b) under our purview?
- 7) Membership Recruitment: emphasis on science, law, engineering back round
- 8) Future Agenda Items
 - a) Goal: improve water quality in our coastal estuaries (see details 8/12/19 agenda/minutes)
 - b)
- 9) Date and Time of Next Meeting: November 11th (Veterans Day) at 7:00 pm
- 10) Adjourn

TOWN CLERK BOURNE

2019 OCT -9 PM 12:14

RECEIVED


Jennifer Cheyne, Chair
October 9, 2019



SELECTMEN'S TASK FORCE ON LOCAL POLLUTION
AND PHASE II STORMWATER MANAGEMENT
COMMUNITY OVERSIGHT GROUP

MEETING NOTICE

Location: Pocasset Community Club at 314 Barlows Landing Road, Pocasset MA

Date: Monday – November 11, 2019

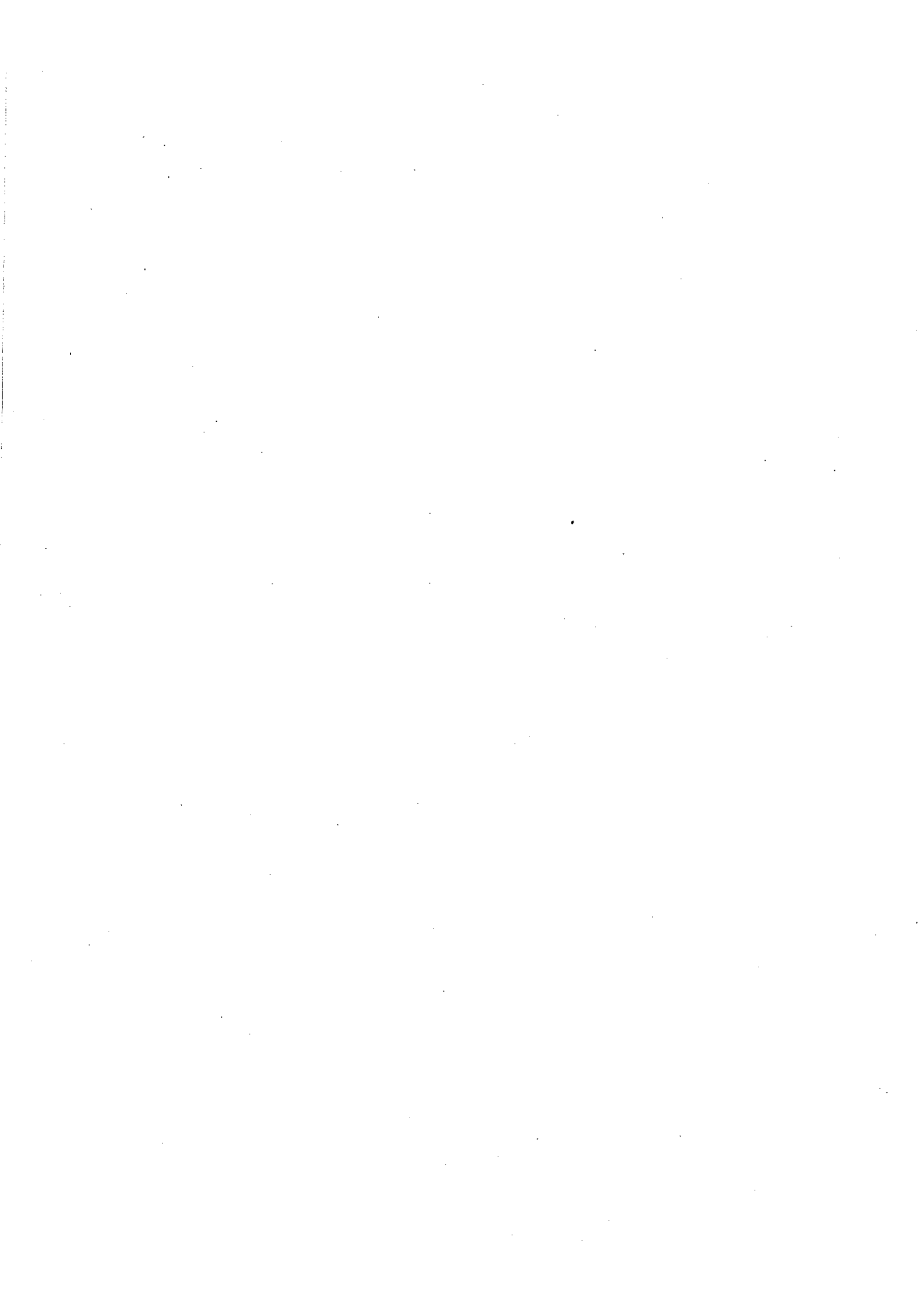
Time: 7:00 P.M.

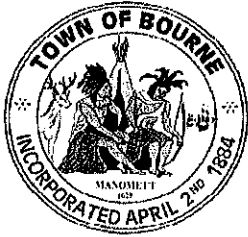
Agenda Topics

- 1) Comment period for non-agenda items
- 2) Approve minutes from last meeting on 10/14/19
- 3) Update, re: Frank Gasson's CPA Fund Request, Approved at Town Meeting
- 4) Update, re: Pocasset Water Quality Coalition (PWQC) Formulating Committee
- 5) Invitation to Municipal Climate Leadership Summit, hosted by the Mass Sierra Club and State Senator Julian Cyr
- 6) Stormwater Bylaw Regulations, Issues, Updates, re:
 - a) zoning bylaw changes for MS4 permit compliance approved at Town Meeting
 - b) Southeast New England Program (SNEP) for Coastal Watershed Restoration
- 7) Membership Recruitment: emphasis on science, law, or engineering back round
 - a) Leads: from Jim Mulvey and Town Meeting
 - b) Other:
- 8) Future Agenda Items
 - a) Goal: improve water quality in our coastal estuaries (see details 8/12/19 agenda/minutes)
 - b) PFAS (per- and polyfluoroalkyl substances)
 - c)
- 9) Date and Time of Next Meeting: January 13th at 7:00 pm
- 10) Adjourn

RECEIVED
2019 NOV -6 PM 1:26
TOWN OF BOURNE

Jennifer Cheyne, Chair
November 6, 2019





Board of Sewer Commissioners Meeting Notice AMENDED AGENDA



Date
February 13, 2019

Time
5:40 P.M.

Location
Bourne Veterans' Memorial
Community Center
239 Main Street
Buzzards Bay

All agenda items herein may be subject to a vote by or other action of the of Board of Sewer Commissioners

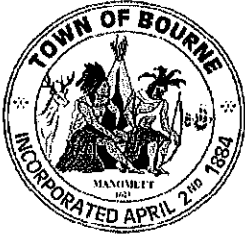
Note this meeting is being televised and recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such at this time

5:40 P.M. Call Public Session to Order in Open Session

1. Public Comment
2. Approval of minutes: 12.20.2018
3. Presentation by Korrin Petersen regarding regulations on wastewater system development
4. Discussion on letter to Savery Avenue wastewater system progress
5. Adjourn

Board of Sewer Commissioners
James Potter, Chairman
Jared MacDonald, Vice Chairman
Judith Froman, Clerk
Peter Meier
George Slade

RECEIVED
FEBRUARY 13 2019
TOWN OF BOURNE



Board of Sewer Commissioners Meeting Notice



AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
February 13, 2019	5:10 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street Buzzards Bay

All agenda items herein may be subject to a vote by or other action of the of Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such at this time

5:15 P.M. Call Public Session to Order in Open Session

1. Public Comment
2. Approval of minutes: 12.20.2018
3. Presentation by Korrin Petersen regarding regulations on wastewater system development
4. Discussion on letter to Savery Avenue wastewater system progress
5. Adjourn

Board of Sewer Commissioners

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

TOWN CLERK BOURNE

2019 FEB -9 PM 3:21

RECEIVED

**Sewer Commissioners Meeting
Minutes of Tuesday, February 13, 2019
Bourne Community Building
Bourne, MA 02532**

TA Guerino

Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice-Chairman - arrived late.

Judy Froman, Clerk

Peter Meier - Excused

George Slade

2019 MAR 26 PM 12:14
TOWN OF BOURNE

0000000000

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order at 5:40 pm.

1) Public Comment

None Requested

2) Approval of minutes: 12-20-18

Voted George Slade moved and seconded by Judy Froman to approve the minutes from December 20, 2018. Vote 2-0-1. Judy Froman Abstained.

3) Presentation by Korrin Petersen regarding regulations on wastewater system development

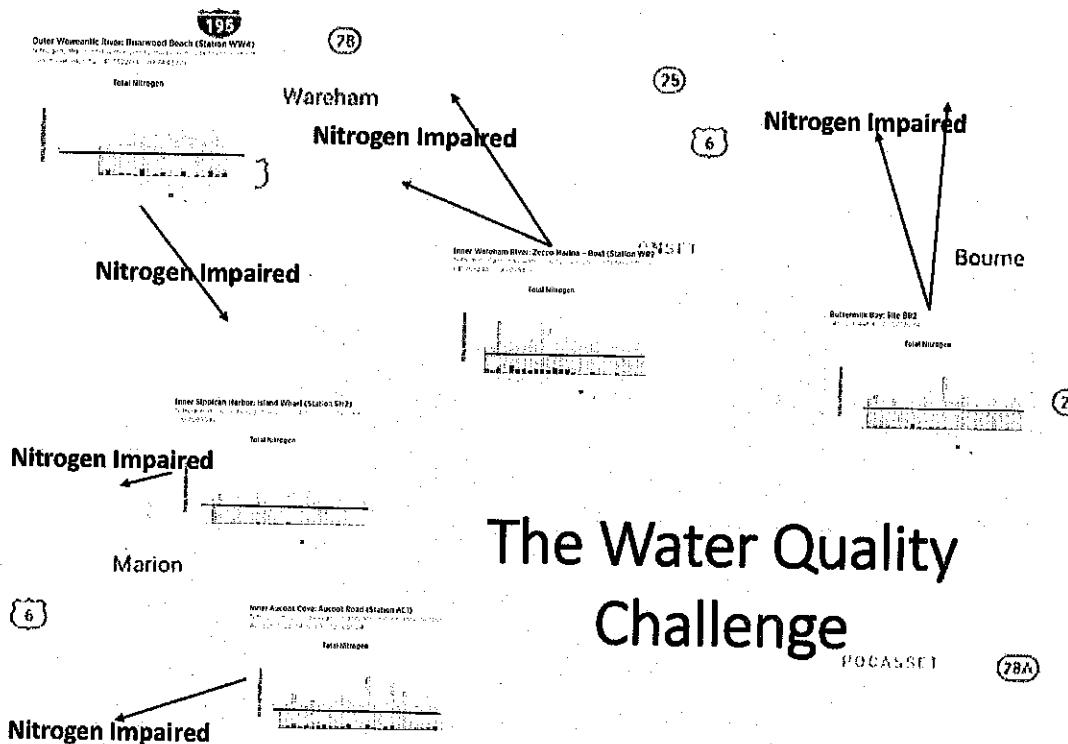
Korrin Petersen, Senior Attorney for the Buzzards Bay Coalition, gave a presentation on the regional plan for the wastewater treatment facility.



Multi-Community Collaboration to Reduce Nitrogen in Upper Buzzards Bay

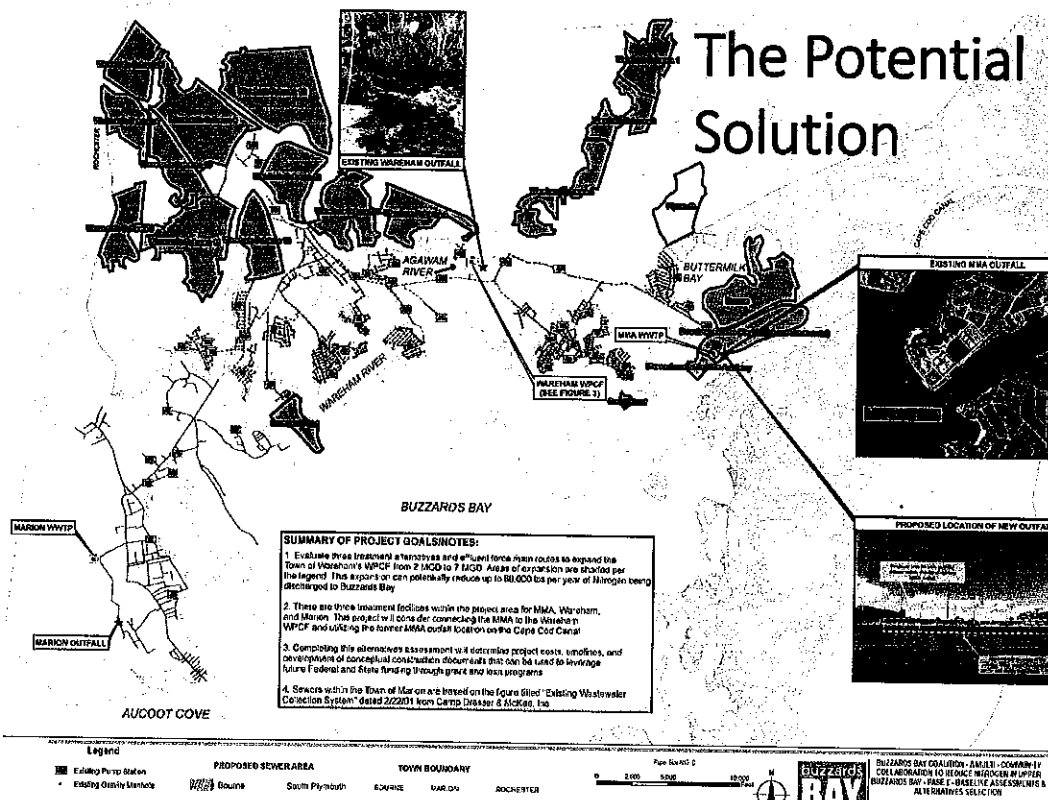
“The Upper Bay Project”
Town of Bourne Board of Selectmen &
Board of Sewer Commissioners
February 13, 2019

Korrin Petersen, Senior Attorney
Buzzards Bay Coalition



Additional Community Needs

- Mass Maritime Expanded Sewer Needs
- Bourne Economic Development District Sewer Needs
- Marion WWTF Upgrade Needs
- Expanded Sewer Needed in Wareham, Bourne & Plymouth



Multi- Community Collaboration to Reduce Nitrogen in
Upper Buzzards Bay

Phase 1

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.
- Evaluate alternatives for pipe relocation.
- Assess needed upgrades at WWTP to accommodate future flows.
- Recommend Governing Structure.
- Conceptual Designs and Cost Estimates.



Project Benefits

- Capitalize on Existing Superior Treatment
- Take Advantage of Dilution in the Canal
- Support Economic Development in Bourne
- Support Mass Maritime Expansion Need
- Provide Alternative to Marion Upgrades

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



Task 1 - Science

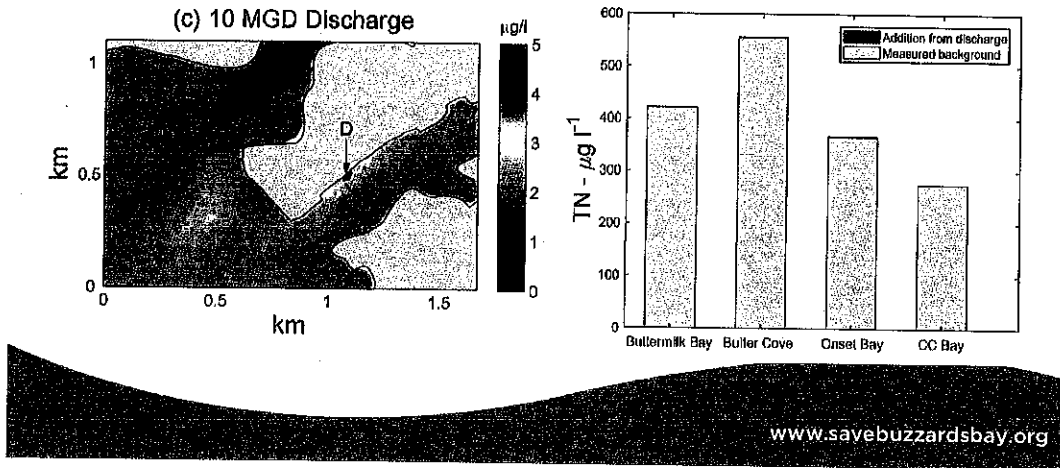
Meeting the needs of the State Ocean Sanctuaries Act:

- Evaluation of receiving water body including:
 - Benthic survey
 - Fish habitat
- Minimum of 24 months of baseline water quality monitoring data – started during Phase I.
- Hydrodynamic Model – completed in Phase I.



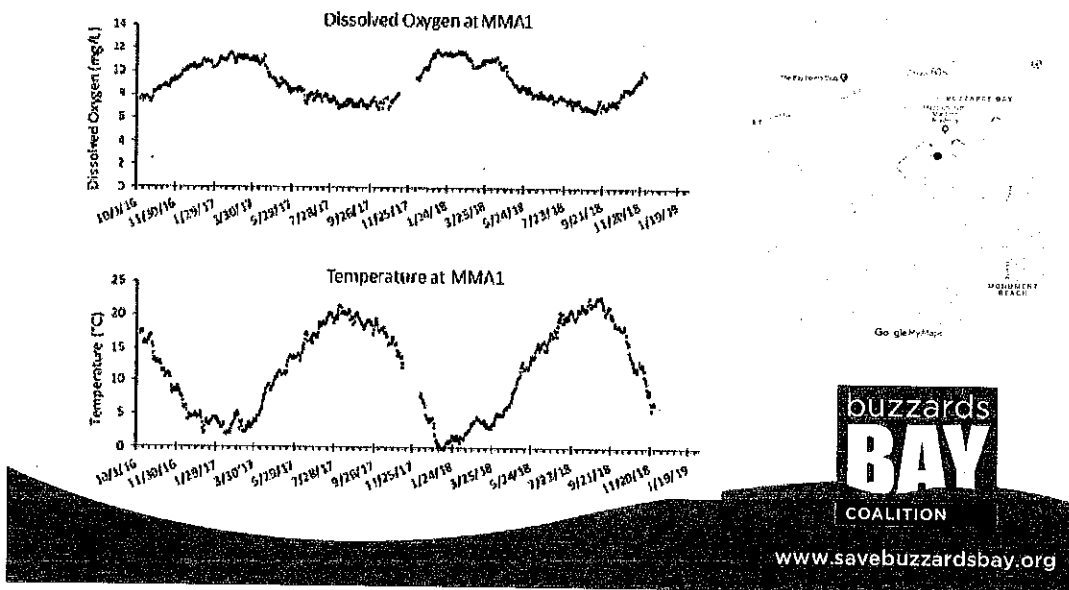
Hydrodynamic Study – Phase I

- Performed by WHOI and UMass Dartmouth
- Daily flow through canal estimated at 56 – 80 billion gallons
- Discharge modeled as 10 million gallons per day



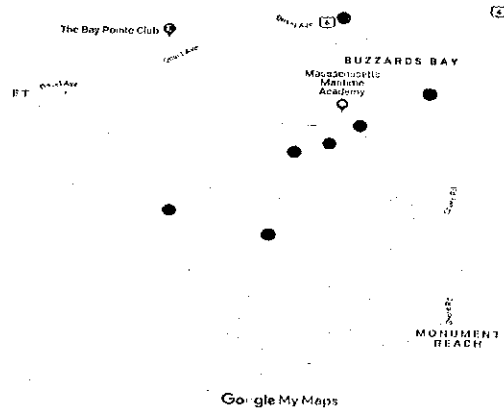
Detailed record of dissolved oxygen

- Data recorded every 15 min 1 m off bottom



Nutrient levels in area

- Collected a total of 127 nitrogen samples since 2016.
- On ebb and flood tides.



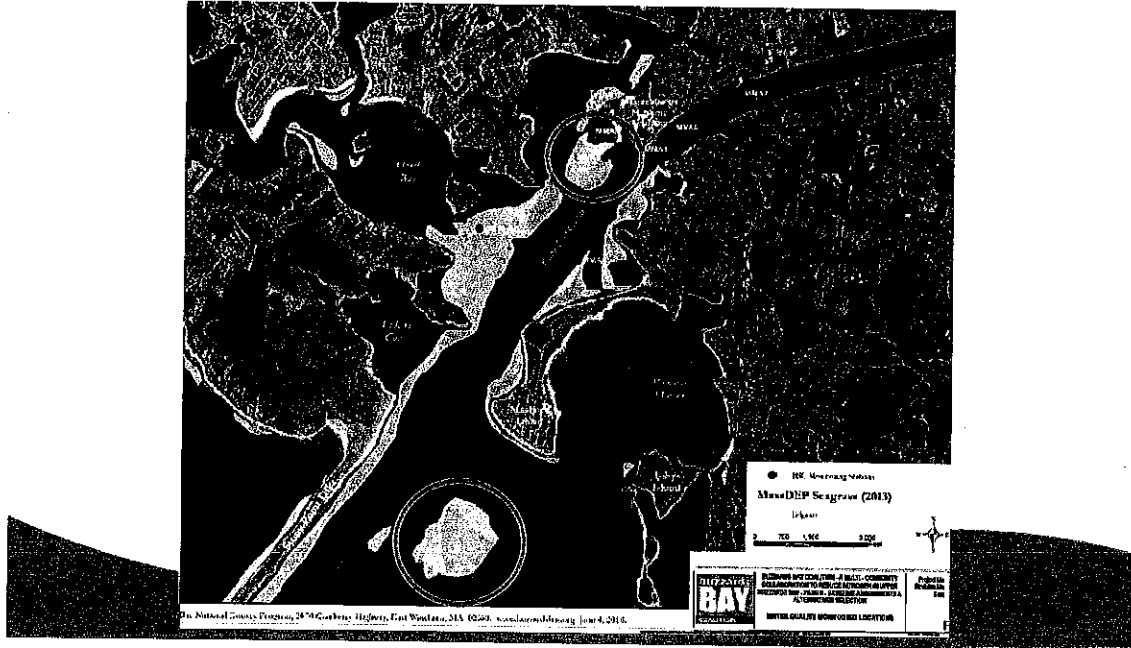
Survey seafloor habitat – Phase II

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



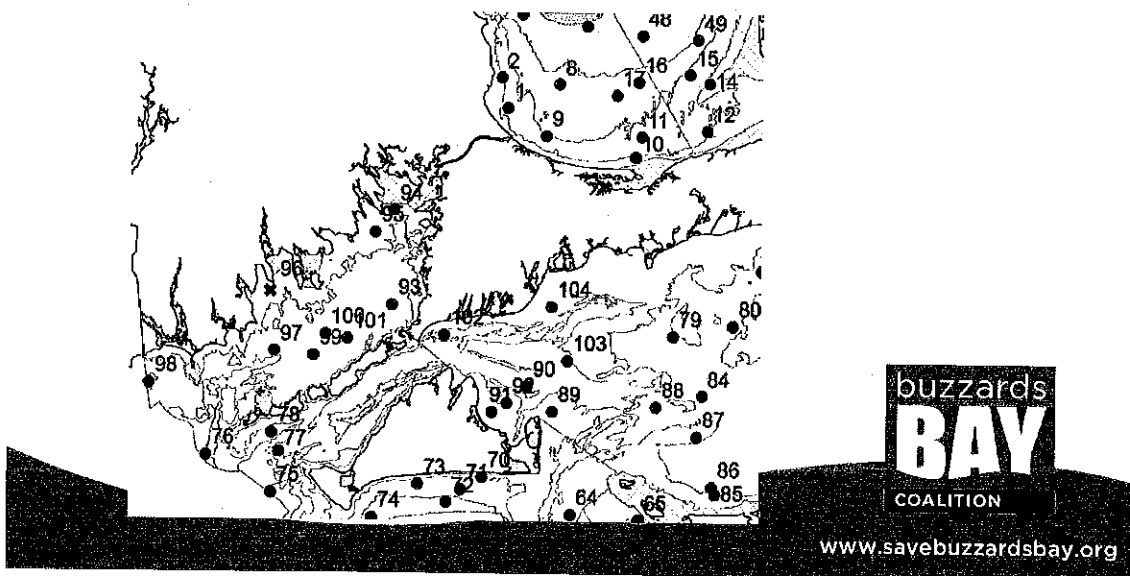
Establish current eelgrass extent – Phase II

- Map eelgrass beds close to and away from MMA outfall



Assess existing fishery resource – Phase II

- Utilize existing trawl data collected by the Massachusetts Division of Marine Fisheries twice per year over last 10 years

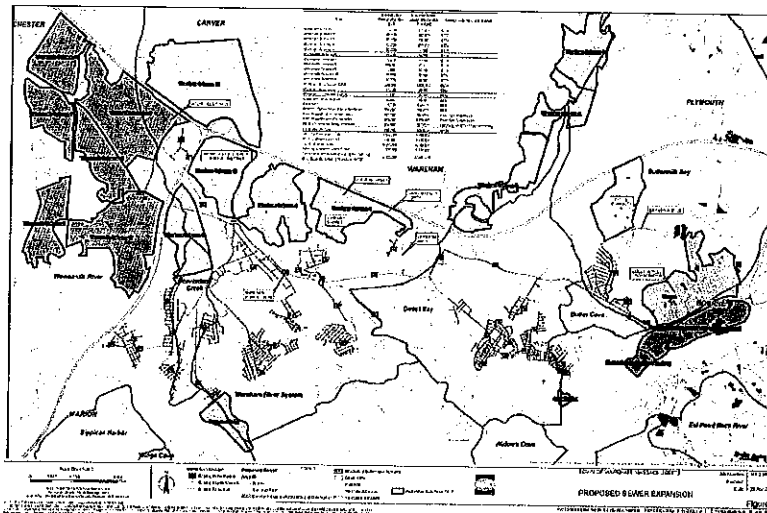


Task 2 – Evaluate Treatment Capacity - GHD

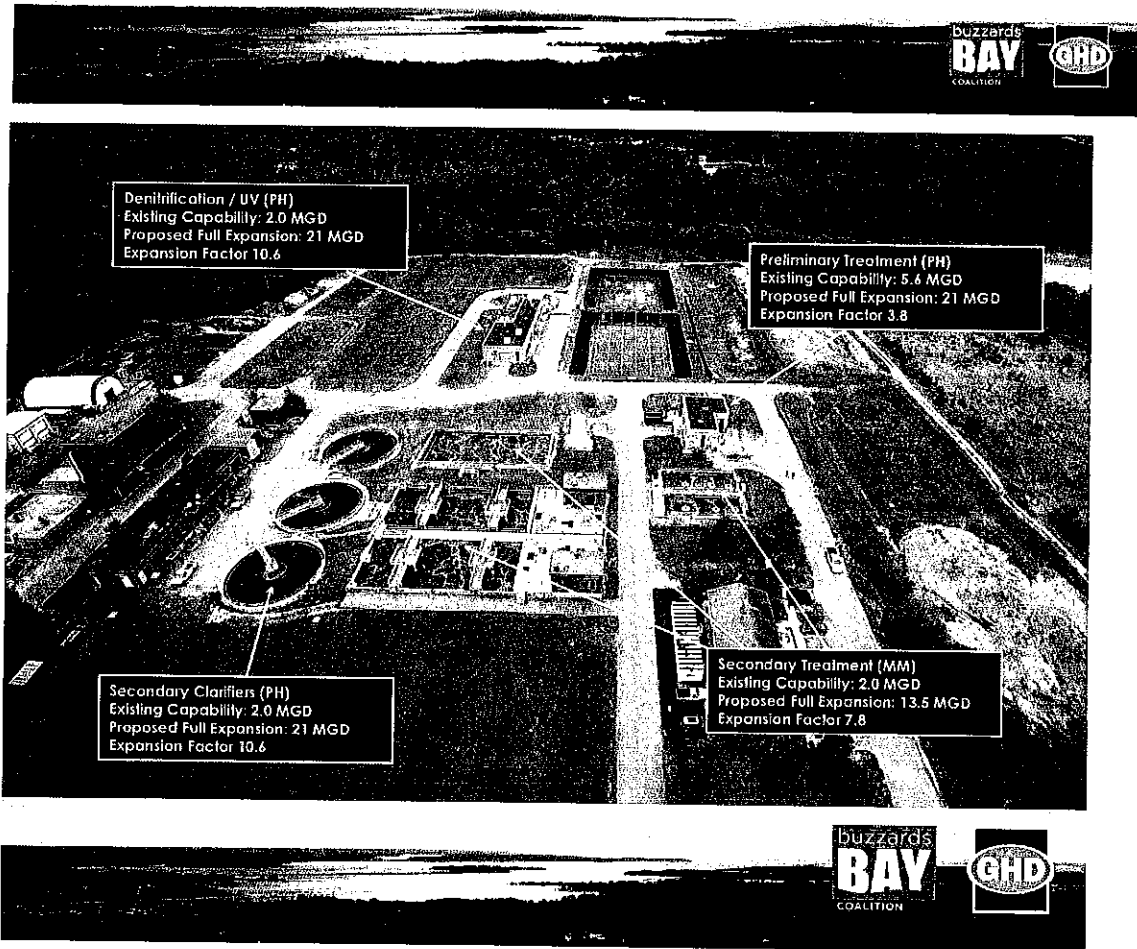
Current WWTP has a capacity of 2MGD. That capacity will need to grow to accommodate partners' needs.

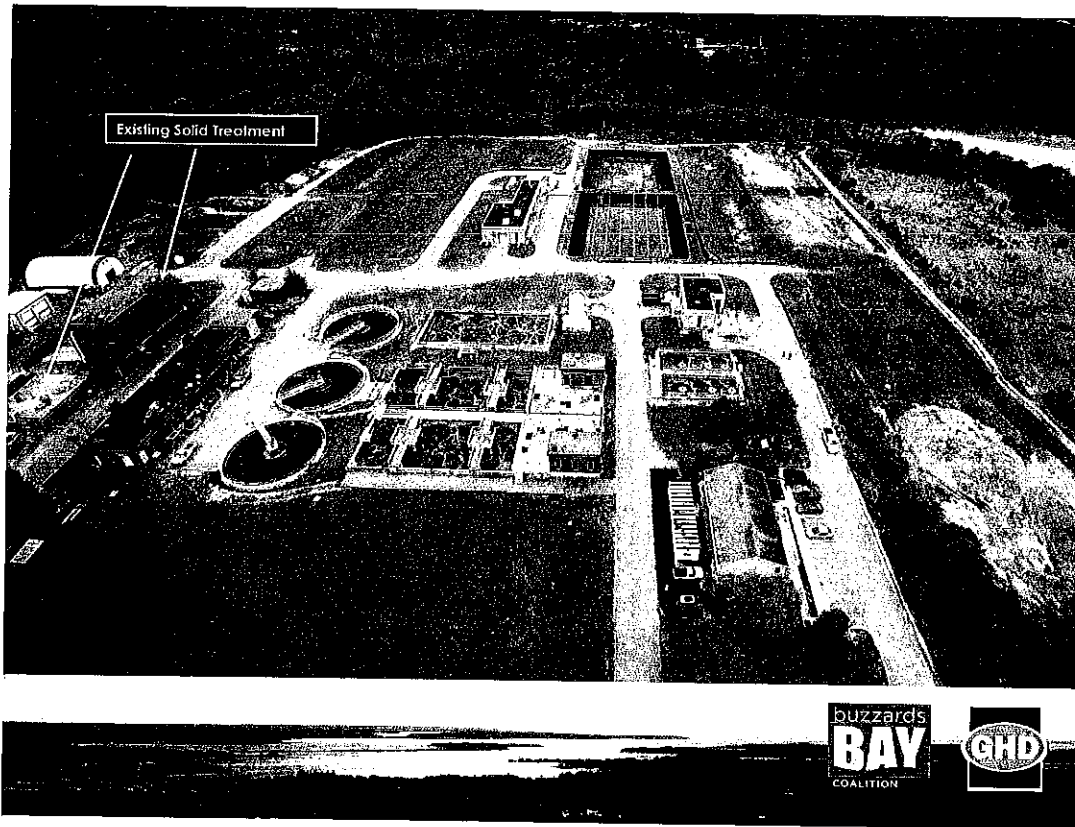
- Evaluate a phased expansion based on timing of partners' sewer needs.
- Evaluate upgrades to:
 - LIQUID TREATMENT
 - SOLID TREATMENT

Partner Sewer Needs Analysis – Phase 1



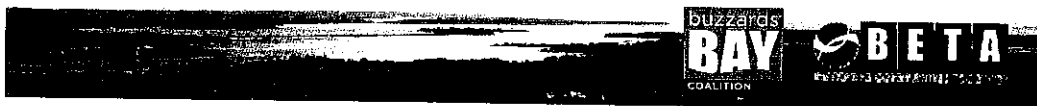
Area	Water Use (gpd)	Wastewater Flow (gpd)
Wareham Subareas (1 to 5 and 13)	285,314	257,000
Wareham (Subarea 12) (BDOD)	-	500,000
Weweantic (Subareas 6 to 11)	244,700	220,000
Wareham (Cromeset Point)	8,083	7,000
Wareham (Onset Island)	8,357	8,000
Plymouth	69,884	83,000
Bourne	115,478	104,000
Massachusetts Maritime Academy	-	154,000
Downtown Bourne (Commercial)	-	943,000
Downtown Bourne (Residential)	247,011	222,000
Marion (Proposed Residential)	152,000	137,000
Marion (Proposed Industrial/Commercial)	124,000	112,000
Marion (Existing)		588,000
Infiltration/Inflow (I/I)	-	510,000
Subtotal Estimated Flow		3,800,000
Flow Contingency (25%)		1,000,000
Total Estimated Flow		4,800,000

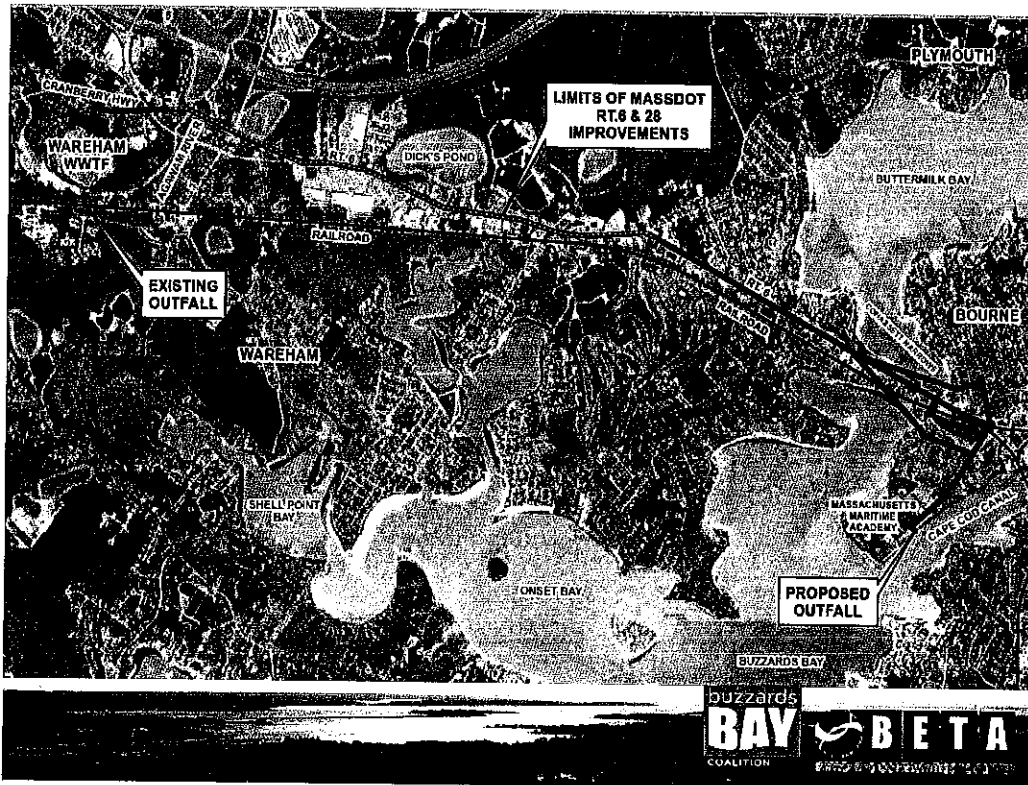
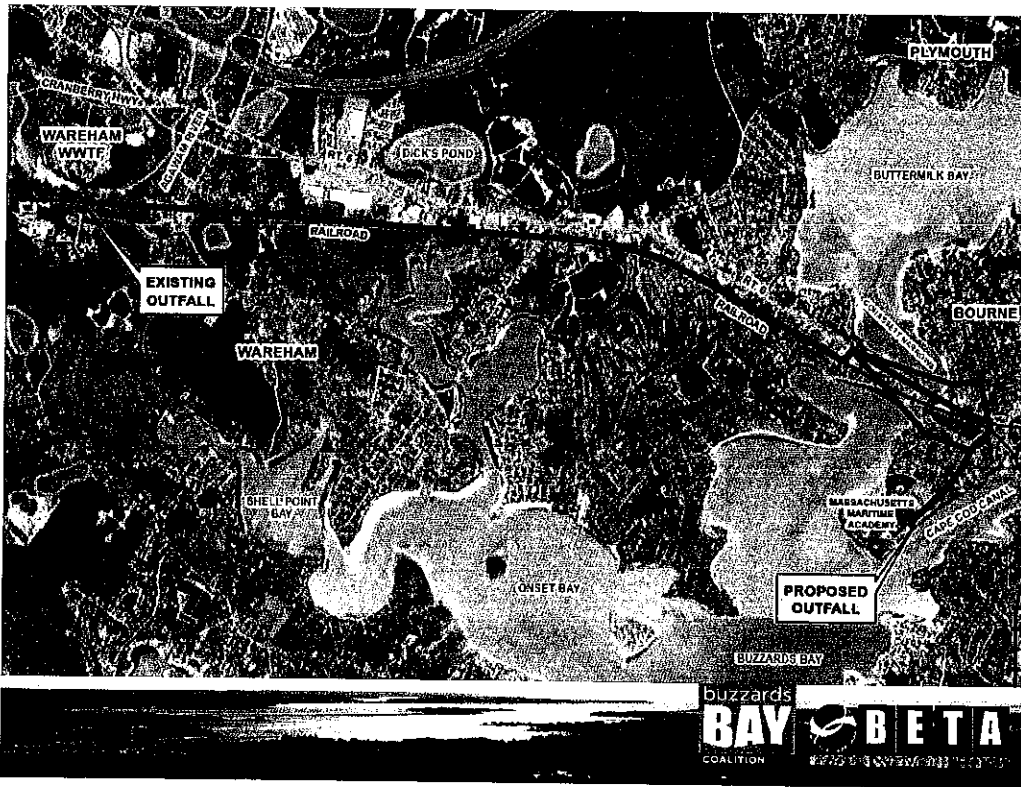


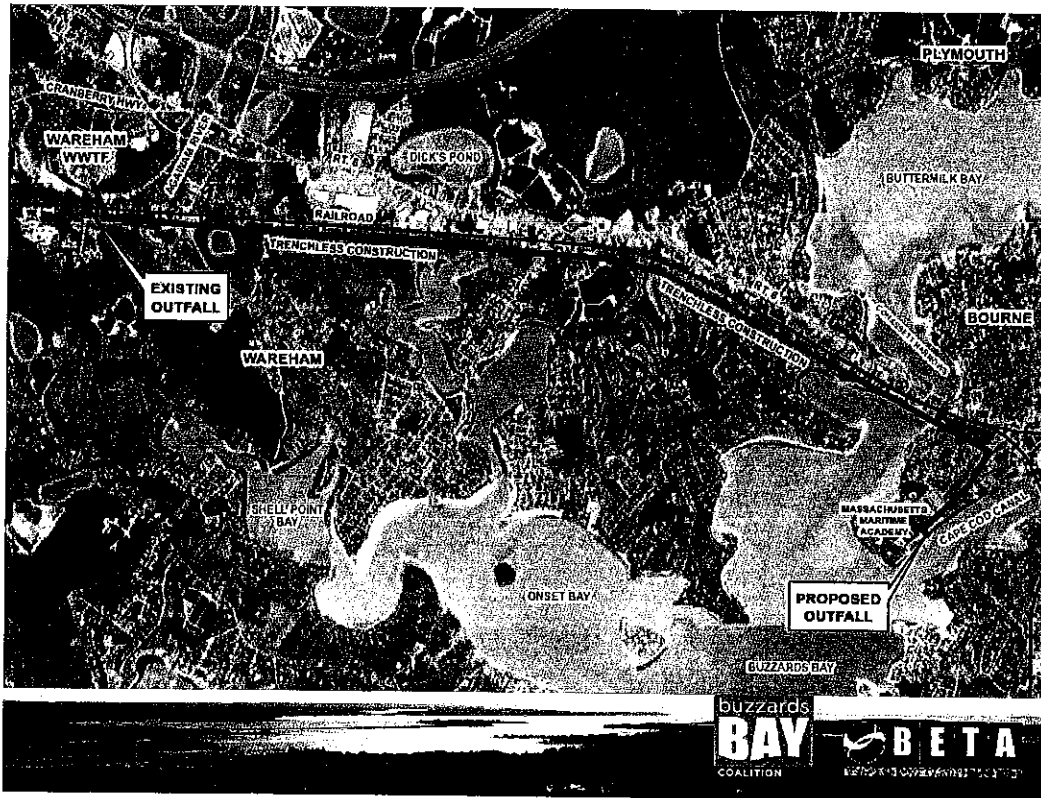


Task 3 – Outfall Relocation Alternatives

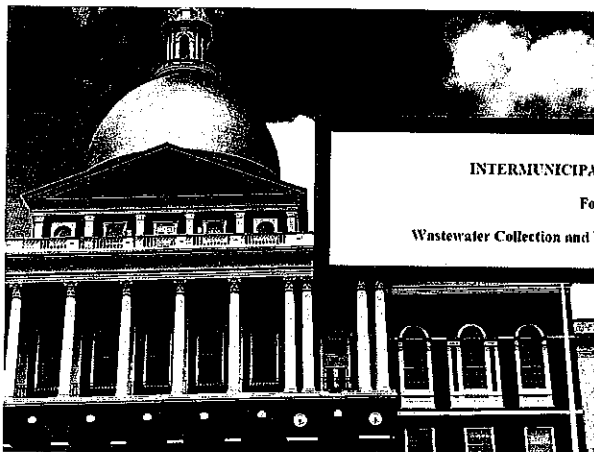
- Relocate Existing Outfall from Agawam River to Cape Cod Canal at Mass Maritime Academy
 - ❖ Total Length – 4.5 Miles
 - ❖ Pipe Size: ~ 24-Inches, To be Verified
- Three (3) Alignment Alternatives
 - ❖ Construction Techniques (Open Cut / Trenchless)







Task 4: Evaluate Regional-Based Governing Structure



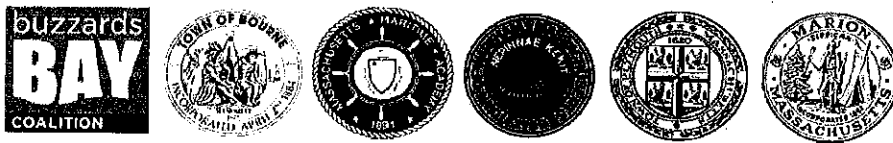
INTERMUNICIPAL AGREEMENT
For
Wastewater Collection and Treatment by and between

- Create Regional Wastewater District or
- Negotiate Multiple Intermunicipal Agreements



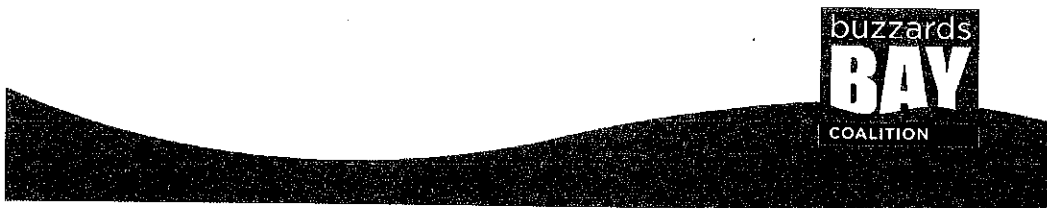
Evaluate Regional-Based Governing Structure

- Created Decision-Maker Workgroup with members from each partner community to evaluate alternatives.
- RFP for consultant to assist Workgroup in evaluation is drafted and contractor list assembled.
- Identified MNF as analogous model to evaluate.



Multi-Community Collaboration to Reduce Nitrogen in Upper Buzzards Bay

Questions?



The Buzzards Bay Coalition is a membership supported non-profit organization dedicated to the restoration, protection, and sustainable use of Buzzards Bay and our watershed. The primary

pollutant of concern is still nitrogen pollution. It is causing a lot of impairment in our coastal waters. We have decades of data that document this impairment. Ms. Petersen spoke about the multi community collaboration to reduce nitrogen in upper Buzzards Bay. The town of Bourne, Plymouth, Wareham, and Marion together with the Mass Maritime Academy got together to see if they could come up with a regional solution to wastewater in upper Buzzards Bay. Spoke about the nitrogen/pollution problems. The embayments from Little Buttermilk Bay, Buttermilk Bay in Bourne, Wareham Agawam River, Weweantic River in Wareham, Sippican Harbor and Acucoot Cove in Marion are all listed on the Federal Clean Water Act list as impaired. These waters don't meet the standards that the clean water act requires. Beyond the environmental need to solve the nitrogen pollution problem there are additional community needs. Mass Maritime has an expanded sewer need issue. Bourne Economic Development sewer needs and capacity issues. Marion wastewater treatment facility has upgrade needs. There are expanded sewer needs throughout the community. There are relationships that make regionalization of wastewater a potential solution. We want to assess whether that is feasible.

Is there a way that we can expand the capacity of the Wareham Wastewater Treatment Facility in order to get more wastewater there to treat it, but move the discharge location to the Cape Cod Canal at the location of the Mass Maritime Academy's current discharge location? That would open up a lot of capacity for Plymouth, Bourne, Wareham, and potentially Marion. The best way to treat nitrogen is through municipal wastewater treatment. We applied together with Wareham, Bourne, Mass Maritime Academy and Plymouth for a Federal Grant for \$200,000 to assess the feasibility. We wanted to update the right-of-way survey of railroad line from Wareham to Bourne if we were to move the discharge pipe from Agawam to the Cape Cod Canal. We wanted to do a preliminary sewer needs analysis. What upgrades need to be done at the Wareham Wastewater Treatment Facility to accommodate that need. Needed to do a hydrodynamic model when we discharge at the Cape Cod Canal, because we don't want to create a problem that doesn't currently exist. We want to know what effect treated discharge at a larger volume at the canal would have on water quality. We applied for a second grant in 2018 to continue along the line of planning and feasibility for this idea as well as start to come up with some cost estimates. We have four tasks. First, we are going to complete the baseline science that would support any state and federal permitting we would need. Spoke about the project benefits including potential to remove 90,000 lbs. of nitrogen/year in impaired embayments.

Task 1 - Science - Meeting the needs of the State Ocean Sanctuaries Act. Phase 1 we finished the Hydrodynamic Study. One of the requirements for permits at the state level is it has to be tertiary treated water. You have to have 24 months of baseline water quality monitoring. Spoke about the detailed record of the dissolved oxygen, nutrient levels in the area, establishing the eel grass locations.

Task 2 is evaluating the treatment capacity at the Wareham Wastewater Treatment Facility. It is currently a 2 million gallon per day wastewater treatment facility. It can take in and treat 2 million gallons per day, but it can't discharge 2 million gallons per day; it can only discharge 1.56 million gallons per day because the EPA limits how much it can discharge to the Agawam River, and won't allow Wareham to discharge anymore to the Agawam River so we need to find another location for the discharge. We need to evaluate how to expand the Wareham Treatment Facility. We're looking at liquid treatment and solid treatment.

Went over the Partners Sewer Needs Analysis – Phase 1. We came up with a rough estimate of what the sewer needs are. We estimated 4.8 million gallons per day of new needs, beyond the 1.56 that the Wareham wastewater treatment facility is treating currently. Spoke about the Wareham Waste Water Treatment Plant liquid treatment process and solid treatment process.

Task 3 is looking at the outfall relocation alternatives. Looking at how to get from the Agawam River to the Cape Cod Canal. It is 4 ½ miles, looking at a 24" pipe to be put in the ground. Also looking at 3 different alignment alternatives. 1st alternative is coming out of the phase 1 right-of-way that we did on the railroad. 2nd alternative is Route 6 and 28 improvement project. Also looking at trenchless construction (directional drilling).

Task 4 evaluating of a regional-based governing structure. We created a decision-maker workgroup. Put out an RFP for a consultant to help assist this workgroup. Identified Mansfield/Norton/Foxborough as our first model that analogous to this region.

Jared MacDonald questioned who is the largest usage? Ms. Petersen said Wareham is number one Marion or Bourne is the second largest.

James Potter said as part of this Grant the Buzzards Bay Coalition is looking for a memorandum of understanding with the partners. Ms. Petersen said by the end of next year once the town has a chance to review the numbers from the Grant, if the towns want to move forward, we will want some type of commitment from the towns.

Judy Froman questioned who in Bourne is involved. Mr. Guerino said himself, James Potter, Teri Guarino, and Same Haines.

George Slade questioned at what point we would know if any of the partners do not want to move forward. If one of them pulls out the cost would go up. Is there a plan to make sure that doesn't happen? Ms. Petersen said they are looking at that, there is a structure for what would happen. At the end of next year when the Grant is done we will have some answers, and at that meeting we will find out who is in and who isn't.

Tom Guerino questioned what is the critical number that you need to go forward? Would it have to be at least Wareham, Bourne and Mass Maritime Academy to make it work? Ms. Petersen said it may work with just one but she doesn't want to speculate. If only one community wants to move forward, we could move forward.

Judy Froman said the data that you are collecting sets the baseline, what other setups are similar to what you are proposing that are on the ocean that are comparable. Ms. Petersen said this isn't comparable but we are following the permitting structure of the MWRA. Hoping to have really good results. We'll see improvements in our inner estuaries in the upper bay, and we won't see a decline in water quality at the Cape Cod Canal.

Mary Jane Mastrangelo questioned the nitrogen removed from the impaired waters. Is it removed from the impaired waters because it is now going to go to a place and be properly treated differently so it is completely removed or is it removed from the impaired waters because it is being treated the same and then going to the canal?

Mr. Petersen said the majority of that is the removal of septic systems, because Title V doesn't treat for nitrogen and they are currently discharging to the ground water and into our inner estuaries. We would get those homes off the Title V systems and treat them at the Wareham Wastewater Treatment Plant that removes 95% of the nitrogen and then disposing it at the Cape Cod Canal. Even though it does a good job of treating for nitrogen it is still dumping into the Agawam estuary. It is better to discharge the treated effluent to the canal where it has less sensitive environmental receptors.

Mary Jane Mastrangelo questioned the cost would be for the cost of the installation for the regional system but would there be costs for individual septic owners who would be required to convert to the wastewater. Ms. Petersen said if the collections system is expanded then yes, there would presumably be betterments

Jim Mulvey said that many of the towns catch-basins that catch the polluted highway discharge now go into the canal, and all the state highway system that borders the canal go directly untreated into the canal. There is a huge amount of untreated stormwater street drainage that already goes into the canal and now we are talking about perhaps a huge amount of regional treated sewerage.

Tom Guerino said the landfill isn't currently disposing any of its leachate into the canal.

Tom Guerino questioned if someone has a fairly new Title V system and the drainage pipe goes by the house and they have to connect within a certain period of time, is there going to be some mitigation that will be provided to the homeowners who have a well-working system. Ms. Petersen said that is in the future but, yes, they will look into mitigation for homeowners.

Ms. Petersen clarified the Collation's mission is the protection and restoration of our waters. We would never want to cause a problem where there currently isn't one. That is why we have done two federal grants and are doing two years of study to make sure an increase discharge to the canal is not going to cause a problem.

4) Discussion on letters to Savery Avenue wastewater system progress

James Potter said we are still in the process of putting together documentation for the system. Everyone, the residents, received Attorney Troy's opinion on the history of the current system so they understand the history of the system. We are beginning some discussion with formulating our permit application for the Board of Health. We should consider to send the resident on Savery Ave a letter stating that it would make sense for them to go in together and hire an attorney to review the legal documentation that would be filed at the Registry of Deeds. Jared MacDonald said it would make sense so they are not completely relying on the town and what the towns view of this documentation is, having a second set of eyes makes sense. Mr. Potter said there are some conditions that will have to be recorded with the registry, that weren't recorded previously.

Tom Guerino questioned if we will have a list of those items that are going to be necessary for the residents to review. Want to be sure we encapsulate all the items that need to be within that

letter so there are no questions down the road. Mr. Potter said one would be habitable space would be restricted, and the easement has to be recorded for Title V purposes. The list will include what the Board of Health requires, there may be a betterment, inhabitable space issue.

James Potter is looking for permission from the Board to put a letter together. Would like direction from the Board to assemble that list and send it to the homeowners. Judy Froman suggested a brief letter to the homeowners letting them know the direction that we are going. Mr. Potter suggested the Board strongly encourage the residents to have their own representation.

Ms. Froman said the first letter should be a general because we don't know what is going to be required; and questioned when we can circle back with a more detailed letter.

James Potter said we are waiting on the Army Corps document in writing.

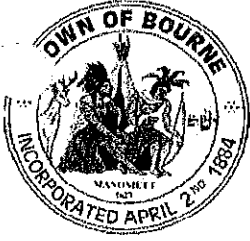
Tom Guerino said he received a call on the 11th from the Deputy Director, there is no issue they are willing to do the extension. They drafted a document that went to Army Corp Environmental. They have sent a draft of the document to the Army Corps in Buzzards Bay; they approved it. We should have a draft that we can sent to counsel by the end of the week or early next week. The general introductory letter can be don't this week.

Voted Jared MacDonald moved and seconded by Judy Froman to draft the introductory letter with an open dialogue of things to come pre-drafted and sent out in a timely manner within the next week. Vote: 4-0.

5) Adjourn

Voted Judy Froman moved and seconded by Jared MacDonald to adjourn.
Vote 4-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Sewer Commissioners Meeting Notice



Date
February 26, 2019

Time
7:00 P.M.

Location
Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay

All agenda items herein may be subject to a vote by or other action of the of Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such at this time.

Sewer Commissioners Visioning Session

7:00 P.M. Call Public Session to Order in Open Session

A. Consent Agenda

1. Approval of meeting minutes: 11.01.2018

Ongoing Business

2. Discussion on Savery Avenue wastewater system progress

C. Visioning Agenda - Planning (on-going)

3. Discussion and review existing sewer system
4. Review maps of Bourne for future areas to be sewerred

D. Visioning Agenda – Policy (on-going)

5. Discuss sewer allocation policy and procedures.
6. Discuss new Sewer Policy for municipal shared-systems and revolving fund
7. Discuss new Sewer Policy & Regulations for future areas to be sewerred

E. Adjourn

Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

Peter Meier

George Slade

2019 FEB 22 PM 2:39
TOWN OF BOURNE
FEB 22 2019

**Sewer Commissioners Meeting
Minutes of Tuesday, February 26, 2019
Bourne Community Building
Bourne, MA 02532**

TA Guerino

Sewer Commissioners

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

RECORDED
2019 JUL 15 PM 3:43
TOWN CLERK BOURNE

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order.

A) Consent Agenda

1. Approval of meeting minutes: 11-01-18

B) Ongoing Business

2. Discussion on Savery Avenue wastewater system progress

Tom Guerino said we have a final design that may need a few minor edits if people are coming off the system. We have received the easement proposal from the Corps of Engineers for an additional 50 years from today. That is at Town Counsel for review. The Chair and the Chair of the Health Board have had discussion on how to move these forward.

James Potter said one thing worth looking at is the current wording on the existing deed restriction, from the Army Corp to see what is actually filed, opposed to the new document, to see what the difference is.

Tom Guerino said the next step, the Health Board has asked Council to discuss his recent opinion with them. Mr. Guerino suggested a joint session would be good so everyone is hearing the same information relative to that opinion.

The Board of Sewer Commissioners received a copy of a sample letter relative to contacting the folks on Savery Ave, that talks about what documents may be required going forward. Want to make sure the Board had a chance to look at it.

Jared MacDonald said it is wise for the folks involved to not rely on the town specifically. That gives them an option to hire someone legally to make sure everything is in order for them, or hire someone jointly to save themselves some money.

Tom Guerino said because the project has taken longer than expected, we have reached the threshold, by law, George Sala had to put the pumping out to bid under the procurement statute.

Peter Meier said with this being designed for a 25-year life cycle, we may, in the future, look at a long-term sewer option for that area.

James Potter said another item with Savery Ave, as a requirement to Title V, we need to have a maintenance plan. We have to have that developed as part of this package for our permit. We have to get all the documents together before we apply. Let's look at the existing deed document.

Voted George Slade moved and seconded by Peter Meier to approve the letter to send out. Vote 5-0.

C) Visioning Agenda – Planning (on-going)

3. Discussion and review existing sewer system

4. Review maps of Bourne for future areas to be sewerred

3. James Potter said we have the map with the existing downtown sewer system. We have the overlays of the properties on the satellite image, we have the overlays of lines where they run to currently, except Hideaway Village. Soon to be existing is the new Wastewater Facility Building, we need to add a pipe to that location. We have to get from Main Street to 0 lots next to the armory.

Tom Guerino said the pump station is going to be on the east end of the building, it would go across the ballfield, a directional dig under the road and coming up to the property on the other side. Mr. Guerino said looking at the legal action that has been brought about the Cape relative to the Conservation Law Foundation, there are things we have to look at over time. There are areas in Monument Beach and Phinney's Harbor where we have some issues, we are starting to get closures there where we have never had closures before. Squeteague Harbor, Hen's Cove, Circuit Ave, Red Brook Harbor the flushing in those areas is poor. One thing that will be coming before the Sewer Commissioners is what the Upper Cape Towns have been doing, relative to working with the State and the Base folks relative to the wastewater facility on the Base. We are at a point of looking at a governance form. These are areas that were highlighted on the TMBL Study. There is still the issue at Little Buttermilk Bay. James Potter said we should concentrate on Town Parcels.

Jared MacDonald explained we have not had a lot of meetings to discuss this, it is the very early beginnings of understanding what parts of town need sewerred and what parts of town are sewerred.

James Potter said as we move forward the Board should consider an engineering firm to work with.

Tom Guerino said it might be appropriate for the Board to consider bringing Tighe & Bond to review their initial report so they can update you on what they did 12 years ago.

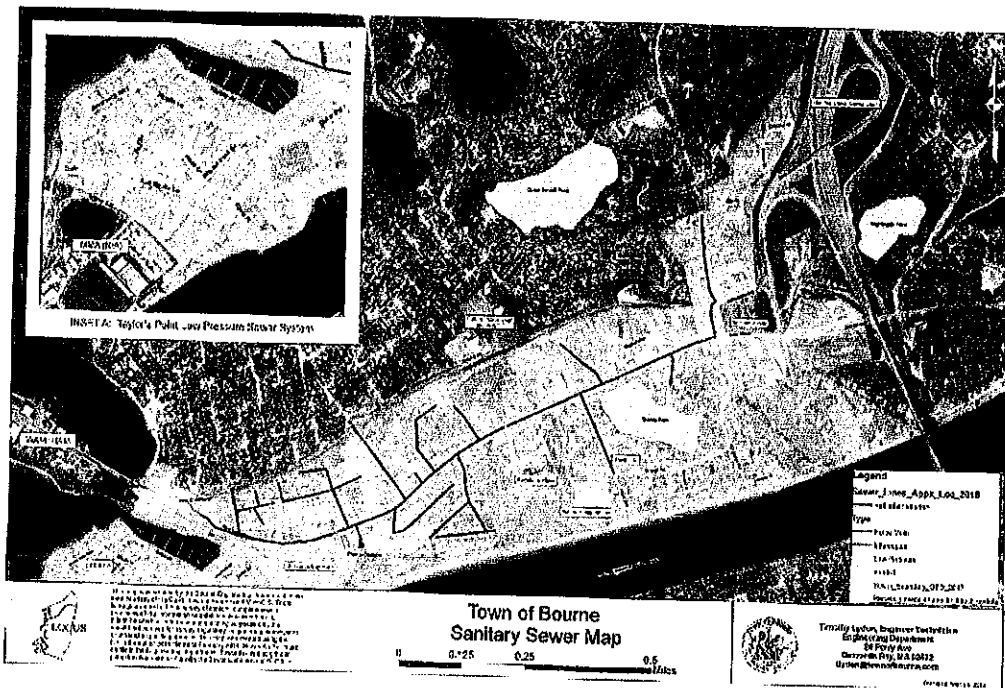
James Potter said we are also limited by the Buzzards Bay water capacity. Peter Meier said any discussions going forward the Water District should be involved.

4. Tim Lydon went over the map of the sewer system for downtown. Has the Keystone updates added also has the updates at 2 Bridge Approach by the East end Rotary as well as by the Dunkin Donuts. Contract 2 has the Hideaway Village side. The next step we'll do the sewer tie-ins.

James Potter questioned when you get the connections can you input data to it so we can understand the usage from each connection.

Tim Lydon said we can put a point where the tie-in is going. We will populate it with the flow from 2004 to 2019, and can create heat maps. It can be put on the website. We have the pump station for the forced main behind the fire station. The forced main starts there then shoots to Wareham.

James Potter said we'll start working on locating Town parcels within our maps.



D) Visioning Agenda - Policy (on-going)

5. Discuss sewer allocation policy and procedure

6. Discuss new Sewer Policy for municipal shared-systems and revolving fund

7. Discuss new Sewer Policy & Regulations for future areas to be sewerred

5. James Potter said we should review the Sewer Allocation Policy and Procedures. We should focus on the section that anyone who has already filed under it needs to come in every 6 months. For those who haven't come in we should have a report on those projects. Tom Guerino said the only two that are out are Calamar, they are moving forward; and Gendron proposal relative to the assisted living facility, he is waiting for allocations.

For procedure reasons one of the things we can look at going forward is referring the project to Planning, there is a section that allows them to go before Planning before they get the allocation; there is still a section that allows a final approval of allocation.

6. James Potter said this is from Savery Ave. We need to create a separate policy for a municipal shared system, so moving forward this system isn't part of the sewer system. We should have a separate fund within the Sewer Enterprise Fund that has a separate accounting for operational maintenance.

Jared MacDonald said moving forward with the Savery Ave project we are going to move away from this system as a town, we are going to move away from this system being incorporated into the sewer. We are going to have to separate them into two different things. Setting up a set of sewer policies and a Revolving Fund, we will have to do that soon. We can't go forward with this system without regulation.

Tom Guerino said we are talking about Revolving Account vs. separate Enterprise Fund. Revolving Account for the maintenance and the upkeep, makes sense. You can set an amount in a Revolving Account on an annual basis that has to come back for renewal every year. The idea of a separate Enterprise Fund, there would be a separate fee structure. Can you set up two different fee structures within the same Enterprise Fund?

James Potter said as long as pumping, inspections, whatever we have to do on our end is covered within the fee.

Peter Meier said we need to look at a post closure account, because eventually they will have to transition over to a sewer system.

James Potter said we do have to account for remediation of the lot, we should put aside funding to remediate the lot, because it is not our lot and if the system leaves the lot we have to remediate the lot. Tom Guerino said the requirement is the lot has to be put back into the condition it was at the time it was granted.

Judy Froman said we need to have a discussion on the pros and cons of having a separate Enterprise Account vs. making it something within the Enterprise Account with a separate

fee. Don't think we have enough information to determine that yet. We should vote on it after we have a discussion.

James Potter said we'll need some help from Tom Guerino looking at how we can set up funding. We need to identify who can help with some of the policy for the shared system. Title V has a good section on shared systems; we should have something in our own regulations.

Jared MacDonald said we will have to sit with Engineering relative to what we will have to set aside for maintenance future costs. Engineering should be able to answer those questions.

George Slade questioned about getting financial guidance on this. We are going to apply for an engineering firm to help with the mapping of this. Would we charge the same rate for the sewer rate or would they be geared toward the cost of the service?

Tom Guerino said the system of billing that we have done to date works well for the type of system we have and the number of gallons we have and the number of users we have. To set up an additional Enterprise Fund is going to take Legislative approval. A question is how do we set up the Revolving Account and how is it funded. Establishing the Revolving Account is a function of Town Meeting. We need to figure out how to separate this, make it functionals, and keep it within the same enterprise system.

James Potter said we have to get a projection of the remediation costs and our operations. We may find the fee is very similar. There may not be a need to adjust it, it may take care of maintenance, remediation, and closure.

Judy Froman said right now the fee structure is the same for all, moving forward it would depend on what those numbers and projections are; and if it is possible within an Enterprise to have different setups.

7. James Potter said many regulations refer to the Board as the inspector, etc. We have to fix it, it isn't written correctly. I have some formulas, for commercial, to help calculate fee for new tie-ins moving forward to help pay for things that need to be paid for. One is based on sq. footage, one is based on number of seats, if it is a restaurant.

Judy Froman said it is also about being environmentally responsible.

James Potter spoke about the 2.75 funding. There is a lot of work, so at times we may have to have smaller working groups of the Board where some people are taking on one challenge while other are taking on another.

Jared MacDonald said we are working hard on getting the documentation/paper side done as well as moving the town forward towards the goals that need to be met. These policies and procedures will take time to work through them, and we are working on the Savery Ave septic system. A lot of these things have to be incorporated before that is in place. Tom

Guerino said this is a multi-Board, multi-Departmental activity, the Board of Health and the Health Department have also been working on this.

Peter Meier spoke about the shell-fishing areas closing because of nitrogen load. If the nitrogen loading gets worse, we will be losing the recreational and commercial resourcing we are known for.

Judy Froman said she would like to get a sense of how we are going to move forward. We have to resolve Savery Avenue, we need to include the Water District in future discussions and we need to get another review of the maps with the current flow. Can we determine what the priority steps are for moving forward?

Tom Guerino said putting that map together with the flows from each area and the connections is going to take Tim a tremendous amount time. It was suggested to use an intern, maybe from Mass Maritime. Peter Meier suggested to also look at the Cape Cod Commission for a resource.

Judy Froman said it would be nice to get an update on what the Wastewater Treatment Plant will be servicing.

James Potter said he will sit with Tom Guerino and go over the Allocation Policy. Started to work on the existing sewer use regulations. Peter Meier said we need to look at the Wastewater Advisory Committee, changing the scope and broadening that out, because right now it is limited to Main Street. James Potter suggested for this we should use an engineering firm.

James Potter said Tom Guerino is going to look at the municipal system revolving fund.

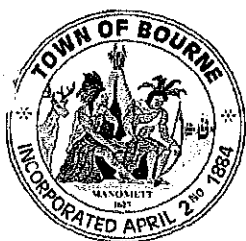
Peter Meier will look at the Title V shared system and draft something to make a local policy.

E) Adjourn

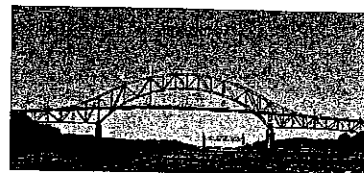
The next Sewer Commissioners Meeting will tentatively be on Thursday March 14, 2019

Voted Peter Meier moved and seconded by Judy Froman to adjourn.
Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Sewer Commissioners Meeting Notice



Date
March 14, 2019

Time
6:30 P.M.

Location
Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

6:30 P.M. Call Public Session to Order in Open Session

1. Consent Agenda

A. Approval of meeting minutes: 02.13.2019

2. Ongoing Business – Wastewater Treatment Facility

B. Update on Wastewater Facility by Owner's Project Manager (OPM)

3. Ongoing Business – Savery Avenue

C. Update on Savery Avenue wastewater system progress

4. Visioning Agenda – Policy

D. Discuss Sewer Allocation policy and procedures (on-going).

E. Discuss existing 1990 Sewer Policy revisions (on-going)

5. Public Comment

6. Adjourn

Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

Peter Meier

George Slade

TOWN CLERK BOURNE

2019 MAR 12 PM 3:14

RECEIVED

**Sewer Commissioners Meeting
Minutes of Thursday, March 14, 2019
Bourne Community Building
Bourne, MA 02532**

2019 OCT 21 PM 2:36

TA Guerino – left at 7:00; returned around 7:20
Glenn Cannon

TOWN OF BOURNE

Sewer Commissioners

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

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order.

1) Consent Agenda

Approval of meeting minutes: 2-13-19

Voted Peter Meier moved and seconded by Judy Froman to approve the minutes from 2-13-19. Vote 5-0.

2) Ongoing Business - Wastewater Treatment Facility

B. Update on Wastewater Facility by Owner's Project Manager (OPM)

Joe Sullivan, Daedalus Projects, Inc., gave an update on the Wastewater Treatment Facility and the Police Building Project.

Decide to incorporate the waste treatment fields as part of the site package of the police station. Estimated that around \$750,000 and it came in around \$630,000. We did that as an alternate. Then we incorporated it as part of the site package of the police station.

When I came on as the OPM and we went through the estimate of the waste treatment plant, I felt the numbers were low, we increase the numbers prior to Town Meeting.

As we progressed, we typically do a 60% estimate and a 90% estimate. We noticed at the 60% the costs of some of some of the goods were starting to increase. As we moved into the 90% you get more specifics on equipment so we can price it more precisely. As we approached the 90% we indicated we were about 1,200,000 over where we had originally estimated at 60%. I

suggested to finish the drawings and see if we can get them out to bid to have an actual number before we decide to go back and discuss numbers with the Town Administrator, and the residents of Bourne.

Jared MacDonald questioned the equipment cost and projected cost of maintenance. Joe spoke about the newer equipment being used.

James Potter said so we are about 1/3 higher then where we wanted to be. Are there ways to get to a better capacity than the 100,000 for little money that would justify the higher costs. Joe Sullivan said I don't believe you will see a significant cost in reduction. Whether we can produce more volume is more of a process through DEP. With slight changes in the technology within the structure, which we have the capacity to do so. You would have the ability to increase with modification to the equipment as long as DEP approved that process.

Mary Jane Mastrangelo said the 100,000 gallons per day limit is based on the DEP requiring 3-gallon per minute capacity on the fields. There is a possibility in the future they would allow us to increase that to 6 gallons per minute which would double the capacity of the fields. Once you get over 50,000 gallons you have to have redundancy of the pumps. Joe Sullivan said we did size the building appropriately for the redundancy in the future.

Mary Jane Mastrangelo said when we went to Town Meeting for this project initially, the financing was explained that 2.4 million would be paid for by the sewer users. People at Town Meeting were told that any amount over that that was needed would be covered by the Town as a whole, because it is an economic development project. There are increase tax revenues that will be coming to the town that will help offset that cost. We are going to get the grant, but because of the cost increase it is still going to cost 2 million dollars. We also did work with the State Revolving Fund. We did get on the list for receiving State Revolving Fund money which allow us to get a 2% interest rate, it allows us to get 0% interest during the building of the project, the construction phase. There is a possibility we will get forgiveness of principal as well.

James Potter said he is concerned because he went and looked at that Town Meeting document and it does say there was no other funding necessary, and now we have to go back and say we did get the grants but we do need more money.

Joe Sullivan said with the Government shut down it dragged the process out.

James Potter said the Sewer District is separate from the town. This is like a partnership; it is a town economic development project but it falls under the Sewer District. The Board of Sewer Commissioners has to figure out who pays for this. Theoretically the Sewer District would pay for this, the town has already put money into the project.

Mary Jane Mastrangelo said this is a clean water economic development project that benefits the whole town, it's not just for the users.

Mrs. Mastrangelo said we are planning to go to Town Meeting with the estimate at the Special in the Annual Town Meeting.

3) Ongoing Business - Savery Avenue

C. Update on Savery Avenue wastewater system progress

James Potter said he and Jared MacDonald talked with a couple Board of Health Members to get clarification before we file for permit. Zack from Bracken Engineering put together a draft book, a lot of the document will be reviewed by Town Council. The plan will remain the same. There were two requests by residents to leave the system, and another that may leave; we are not going to downsize.

Jared MacDonald said the book that is being put together was gone through by a couple of the Board of Health members, some information came from other towns who have similar issues; we are hoping to come up with what is the best suitable package to get this done. We are hoping to get that expedited because the documents have already been written by other towns.

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and post the next day after Board of Health, we could get bids in by May 2nd and we could have a real bid to bring to Town Meeting.

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Judy Froman wanted to make sure we will have a chance to invite the users in before Town Meeting?

Tom Guerino said there are articles for a petition for a new Enterprise Fund, a cost for construction, and a betterment article.

4) Visioning Agenda - Policy

D. Discuss Sewer Allocation policy and procedures (on-going)

E. Discuss existing 1990 Sewer Policy revisions (on-going)

James Potter said regarding discussion on the sewer allocation and policy and procedures, he doesn't think 3 should be there, it reads: Have been presented to the Planning Board for preliminary project review, and that is under when the applicant first comes in and they are applying for their preliminary allocations. They have to complete these 5 items. Number 3 should be highlighted. With the applicant we have we didn't have the them go for preliminary project review. We voted the allocation and then we sent them to Planning.

Judy Froman said when the procedures were brought forward, we talked about moving back to the Planning Board to have an official sign off on the preliminary discussion. James Potter said he can't find anything written where we get a report back from Planning. Concerned if we give someone a preliminary allocation and then they go before Planning Board and changes their project, how do we get that back before the Board. There is nothing that states that if anything changes on the project it needs to be reviewed by the Board. On letter F it stated: After the Board's vote to grant a Preliminary Allocation, the Applicant shall be issued a letter signed by the Town Administrator certifying to the existence of a Preliminary Allocation for that specific project/parcel(s) and including any condition imposed by the Board. Copies are sent to the Town's Building Inspector, Health Agent and Planner. Then it's converted to an operational allocation. It doesn't tell you if there is a way to go back to phase 1.

Mary Jane Mastrangelo said an example that happened is a sewer allocation that was given to a developer and hadn't presented anything to the Planning Board, had it for long time. The Waste Water Advisory Committee was concerned that if a developer was going to ask for a preliminary application, they should have had a preliminary discussion with the Planning Board on the concept of what they are trying to do and have the Planning Board concur. In the flow chart in the policy one of the pieces of the two-year period under preliminary application the developer is supposed to come back in every 6 months between the preliminary and operational and give an update to the Board of Sewer Commissioners.

James Potter said under IV it states The Preliminary Allocation shall be converted to an Operational Allocation by vote of the Board when the project has been issued a Building Permit.

Tom Guerino said if you bring C 3 to C1. There is no reason for them to come for an allocation if it is a project that is unaccepted by the Planning Board. It should go the to the Planning Board, to approve the conceptual plan, then to the Sewer Commissioners. Judy Froman said the Planning Board does care about item C1 and C2. They don't want to be in the position of entertaining people's visions if the applicant doesn't have the financial backing.

James Potter said C3 should be a heading not a subsidiary of a title. C3 should be the next step. Go to the Planning Board for preliminary review and then back. C3 should become item D. After you have demonstrated financing, you have demonstrated that you control the parcel, you put some milestones together, demonstrate the request allocation is based on state and local regulations; then D go to Planning for preliminary. Then change the subsequent lettering.

James Potter said we have a lot of vacant properties that have existing tie-ins that are not using any capacity. We should be able to find some of these vacant properties and reduce what the calculation are for usage. We should do an evaluation of existing properties that are vacant. I'm not saying anyone should get disconnected from sewer, but if they have been idle for 5 years, they aren't using their full allocation.

Jared MacDonald said regarding the review every six months he suggested to send a letter to the owners requesting documentation. That may fulfill the every six-month need. It also gives you the opportunity to request they come back in before the Sewer Commissioners.

Tom Guerino questioned once they get their building permit, do they still have to come in every six months? Judy Froman suggested it be specific the documents that people have to provide the Sewer Commissioners.

Mary Jane Mastrangelo said the milestones is the key they need for where they will be along the way through the year. James Potter said Milestones should have its own heading.

Milestones: goals set by mutual agreement between the Applicant and the Board to measure progress toward meeting the requirements to convert a Preliminary Allocation to an Operational Allocation. Some examples are: finalizing financing, demonstrating control of the parcel(s), receiving final order of conditions from the Planning Board, obtaining all required state and local permits.

Mr. Potter said goals set by mutual agreement is an action item.

Tom Guerino confirmed C3 becomes D; 4 becomes E; 5 become 3 under C; D becomes F, E becomes G etc.

James Potter said we can start to think about milestones: dates, finalizing financing, when they will get shovel in ground, estimated construction schedule, when operational.

Judy Froman suggested to make the changes to the policy but also set up the procedures to compliment this and have public session reviews.

Glenn Cannon suggested to change the word Shall to May in IV to read: The Preliminary Allocation shall may be converted to an Operational Allocation

James Potter said we want to change it because if they change the scope of what they are doing, then it becomes a May and not Shall, because it needs to be reconsidered.

Tom Guerino said it could read: If the scope of the project substantially changes/been altered from the original application package the Board of Sewer Commissioners may elect to amend the allocation granted within the preliminary allocation.

Mr. Guerino went on to say said we also want to put in a caveat because you can't review these annually but if you put a time table that these will be reviewed on a 3/5 year basis unless circumstances warrant an earlier review. A lot of this is based on Title V, from years ago. The state needs to look at this regulation and look at what the requirement are of a typical household/business/factory.

Judy Froman spoke about being dependent on Wareham; are we fully confident about the maintenance schedule and how they are taking care of their system. Mr. Guerino said as far as he knows they have been pro-active in expanding what they do and inspecting their lines. It is important to Wareham to have their system in good shape, especially when it comes to things like this because of their limited discharge capacity into the Agawam River, so they want to make sure their system is efficient.

James Potter said it will be good going forward on the 1990 sewer policy regulations to have it on the PowerPoint so we can go through it. The alternative is to go through the book during the meeting. Everyone should go through the book before the next meeting.

Tom Guerino said you need to tie the sewer regulation into the IMA. There are provisions within the IMA which state your regulations have to be equal to or greater than those regulations within the Wareham system. James Potter said grinder pumps are illegal in Wareham.

5) Public Comment

No public comment.

6) Adjourn

Voted Judy Froman moved and seconded by Jared MacDonald to adjourn.
Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.

**Sewer Commissioners Meeting
Minutes of Thursday, March 14, 2019
Bourne Community Building
Bourne, MA 02532**

TA Guerino – left at 7:00; returned around 7:20
Glenn Cannon

Sewer Commissioners

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

RECEIVED
2019 JUL 16 PM 3:52
TOWN CLERK BOURNE

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order.

1) Consent Agenda

Approval of meeting minutes: 2-13-19

Voted Peter Meier moved and seconded by Judy Froman to approve the minutes from 2-13-19. Vote 5-0.

2) Ongoing Business - Wastewater Treatment Facility

B. Update on Wastewater Facility by Owner's Project Manager (OPM)

Joe Sullivan, Daedalus Projects, Inc., gave an update on the Wastewater Treatment Facility and the Police Building Project.

Decide to incorporate the waste treatment fields as part of the site package of the police station. Estimated that around \$750,000 and it came in around \$630,000. We did that as an alternate. Then we incorporated it as part of the site package of the police station.

When I came on as the OPM and we went through the estimate of the waste treatment plant, I felt the numbers were low, we increase the numbers prior to Town Meeting.

As we progressed, we typically do a 60% estimate and a 90% estimate. We noticed at the 60% the costs of some of some of the goods were starting to increase. As we moved into the 90% you get more specifics on equipment so we can price it more precisely. As we approached the 90% we indicated we were about 1,200,000 over where we had originally estimated at 60%. I

suggested to finish the drawings and see if we can get them out to bid to have an actual number before we decide to go back and discuss numbers with the Town Administrator, and the residents of Bourne.

Jared MacDonald questioned the equipment cost and projected cost of maintenance. Joe spoke about the newer equipment being used.

James Potter said so we are about 1/3 higher then where we wanted to be. Are there ways to get to a better capacity than the 100,000 for little money that would justify the higher costs. Joe Sullivan said I don't believe you will see a significant cost in reduction. Whether we can produce more volume is more of a process through DEP. With slight changes in the technology within the structure, which we have the capacity to do so. You would have the ability to increase with modification to the equipment as long as DEP approved that process.

Mary Jane Mastrangelo said the 100,000 gallons per day limit is based on the DEP requiring 3-gallon per minute capacity on the fields. There is a possibility in the future they would allow us to increase that to 6 gallons per minute which would double the capacity of the fields. Once you get over 50,000 gallons you have to have redundancy of the pumps. Joe Sullivan said we did size the building appropriately for the redundancy in the future.

Mary Jane Mastrangelo said when we went to Town Meeting for this project initially, the financing was explained that 2.4 million would be paid for by the sewer users. People at Town Meeting were told that any amount over that that was needed would be covered by the Town as a whole, because it is an economic development project. There are increase tax revenues that will be coming to the town that will help offset that cost. We are going to get the grant, but because of the cost increase it is still going to cost 2 million dollars. We also did work with the State Revolving Fund. We did get on the list for receiving State Revolving Fund money which allow us to get a 2% interest rate, it allows us to get 0% interest during the building of the project, the construction phase. There is a possibility we will get forgiveness of principal as well.

James Potter said he is concerned because he went and looked at that Town Meeting document and it does say there was no other funding necessary, and now we have to go back and say we did get the grants but we do need more money.

Joe Sullivan said with the Government shut down it dragged the process out.

James Potter said the Sewer District is separate from the town. This is like a partnership; it is a town economic development project but it falls under the Sewer District. The Board of Sewer Commissioners has to figure out who pays for this. Theoretically the Sewer District would pay for this, the town has already put money into the project.

Mary Jane Mastrangelo said this is a clean water economic development project that benefits the whole town, it's not just for the users.

Mrs. Mastrangelo said we are planning to go to Town Meeting with the estimate at the Special in the Annual Town Meeting.

3) Ongoing Business - Savery Avenue

C. Update on Savery Avenue wastewater system progress

James Potter said he and Jared MacDonald talked with a couple Board of Health Members to get clarification before we file for permit. Zack from Bracken Engineering put together a draft book, a lot of the document will be reviewed by Town Council. The plan will remain the same. There were two requests by residents to leave the system, and another that may leave; we are not going to downsize.

Jared MacDonald said the book that is being put together was gone through by a couple of the Board of Health members, some information came from other towns who have similar issues; we are hoping to come up with what is the best suitable package to get this done. We are hoping to get that expedited because the documents have already been written by other towns.

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5) Public Comment

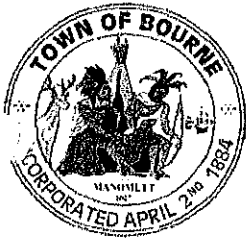
No public comment.

6) Adjourn

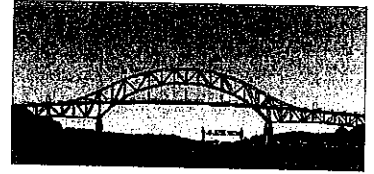
Voted Judy Froman moved and seconded by Jared MacDonald to adjourn.

Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Sewer Commissioners Meeting Notice



Date

March 28, 2019

Time

6:30 P.M.

Location

Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

6:30 P.M. Call Public Session to Order in Open Session

1. Consent Agenda

A. Approval of meeting minutes: None

2. Wareham-Bourne Intermunicipal Agreement

B. Report on discussion with Wareham about IMA & allocation

3. Wastewater Treatment Facility

C. Wastewater Facility cost discussion and recommendation

4. Savery Avenue

D. Update on Savery Avenue wastewater system progress

5. Visioning Agenda – Policy

E. Discuss 'Draft' Sewer regulation template & revisions (on-going)

6. Future Sewer Connections

F. Veterinary Cancer Specialist of New England – 50 Cohasset Avenue, Buzzards Bay
Change of use from bank to Veterinary Cancer Treatment Office

G. Mr. Fence – 310 Main Street, Buzzards Bay
Fence sales, office & display [Not currently connected to sewer system]

7. Public Comment

8. Adjourn

Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

Peter Meier

George Slade

2019 MAR 26 PM 3:03
TOWN OF BOURNE
RECORDED

**Sewer Commissioners Meeting
Minutes of Thursday, March 28, 2019
Bourne Community Building
Bourne, MA 02532**

TA Guerino
ATA Glenn Cannon

Sewer Commissioners

James Potter, Chairman
Jared MacDonald, Vice - Chairman arrived at 6:35
Judy Froman, Clerk - excused
Peter Meier
George Slade

2019 JUL 15 PM 3:43
TOWN CLERK BOURNE
02532

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Meeting Called to Order

Chm. Potter called the meeting to order at 6:30 pm.

1) Consent Agenda

A. Approval of meeting minutes: None

James Potter said there are no minutes to approve yet. Still waiting for Feb 26th & March 14th minutes.

2) Wareham-Bourne Intermunicipal Agreement

B. Report on discussion with Wareham about IMA & allocation

James Potter said he and Jarred MacDonald had a discussion and came up with an outline. Went to Wareham Sewer Commissioners meeting. We let them know we wanted to work with them, we gave them the outline. We are limited to the 200,000 gallons per day. We are building the 100,000 gallons facility, but we will not see that immediately. We are limited because we have design allocation that we have to keep. This was an idea to create phantom allocation so we can get people in the permitting pipeline going. Wareham may not give us 100,000 gallons, but if we could present them actual businesses and what the projected allocation is per business request, they may be able to allocate it. We structured it as an amendment, so it wouldn't be part of the IMA it would be an amendment to the IMA, and something that could be voted away as we pick up our own capacity along the way. Part of this discussion was they will not see more revenue from Bourne if we can give them more allocation.

②

Wareham-Bourne Intermunicipal Agreement
2019 Amendment (Outline)

3/28/2019

1. The current intermunicipal agreement allows for up to 200,000 gpd flow from Bourne to the Wareham plant.
2. Bourne is currently investing in a 100,000 gpd package Wastewater plant in Buzzards Bay near the armory and by-pass road. This 100,000 gallons was needed to bring on additional commercial business in Buzzards Bay because the additional design flow would cross the 200,000 gpd.
3. Bourne currently, as metered in actual flow, averages between 94,000-104,000 gpd to the Wareham plant. There are many vacant and demolished structures on Buzzards-Bay-Main-Street that are not contributing to flow. In the last 20 years, many residents and commercial businesses also have converted to low-flow plumbing fixtures. *What does Wareham say?*
4. Bourne would like to request an amendment to the current IMA, increasing another 100,000 gpd to the Wareham plant. This would allow several commercial development projects that would like to connect to the Bourne system, to get sewer allocation and connect, while also providing revenue to both Bourne and Wareham. This would sunset in 50,000 gpd increments at 5 and 10 years.

How would this work?

If Bourne was able to sign up and build several commercial developments that would use a total of 100,000 gpd overnight, (and that would not happen), Bourne would still be within the 200,000 gpd flow to Wareham. This is because the 200,000 gpd is based on existing design flow to unutilized properties, that will not be redeveloped and sending flow for some time. Other properties have changed uses or just have actual flow readings that are far less than their original design calculation. Bourne needs additional design flow to actually send 'real flow' to Wareham, which benefits both Bourne and Wareham. Bourne's new package plant will come online within a year or so, but that will not change the current design flow numbers to Wareham. The package plant is calculated to take existing Buzzards Bay commercial development first, which will further lower the actual flow to Wareham.

- The 2019 Amendment could be sunsetted as follows:
- 50,000 gpd would sunset in 5 years, and the remaining 50,000 gpd would sunset in 10 years. Within this timeframe it would be incumbent on Bourne to satisfy the 100,000 gpd at the new package plant or an additional plant. The new plant has potential for expansion after several years of monitoring the flows into the leaching beds. There may also be some movement on regional expansion within the 10 year mark with Wareham, which could increase capacity for everyone.

Jared MacDonald said we can't extend our sewer allocation because we are restricted which means we can't bring in the business we want to bring in because we can't give them allocation. We are restricting our business import, which restricts income for both Bourne and Wareham. If we can phantom allocation we could bring more business to Buzzards Bay, which would also bring in more income to Wareham.

Peter Meier spoke about the outflow pipe dumping into the canal, he said he's against it.

James Potter said Wareham does not have allocation to give out, but if there are projects that are stagnant, they may be able to accommodate us on a case by case basis. We are not asking for this to be built into the IMA.

Tom Guerino said when a proposal goes to another elected body, the full elected body would have seen it and voted to authorize it to go to the other town.

3) Wastewater Treatment Facility

C. Wastewater Facility cost discussion and recommendation

James Potter said there was discussion that there would most likely be an additional cost to the budget for the facility, we don't know what the cost is, it hasn't gone to bid. We need to discuss as Sewer Commissioners how we want to go about looking for the additional money.

Tom Guerino went over the Bourne Wastewater budget.

James Potter said we could look at Capital and maybe put off some capital items for a year. There was talk about borrowing for 3 years at 0% and handling it in three years or handling it now if we have a lot of Free Cash.

Mary Jane Mastrangelo spoke about the State Revolving Fund and the SRF Financing.

Jared MacDonald suggested to put together charts of who has what allocation, who gets what allocation, who is connected where. Tom Guerino said we know who is connected because we send out the water bill, and we know who and who hasn't paid betterments. Mr. Guerino said we are going to recommend an article for the difference, for the additional monies that are necessary, we can talk about Capital.

Mary Jane Mastrangelo said the 2.4 million of debt services paid by the sewer users, the town will take the balance. 3,457,123 is the town borrowing obligation; 2,891,123 would be eligible for SRF funding. The number at the end could be borrowed from Free Cash.

George Slade questioned how do we let Town Meeting know this is in their best interest. Tom Guerino said we need a uniformed and agreed upon message, Town Meeting 101 before Town Meeting is another way to let the residents know.

James Potter suggested to take what the non SRF number is and take that this year as the hit so the towns people know that every time we need money we don't ask for it. Mr. Potter suggested items that could be put off for a year could be the carper for the library, \$150,000 from the police network, it should be part of the police budget, the message board, annual dredging, HVAC for the Fire Station. We want to consider options before we go to Town Meeting.

3/27/19 Draft

PROJECT TITLE: Bourne Waste Water Treatment Facility

	Proposed Budget	08/17/18	03/27/19	SRF/EDA	Non-EDA/SRF	EDA
Administration						
Legal Fees	\$4,000	\$4,000	\$4,000			\$4,000
Owner Project Manager	\$190,000	\$100,000	\$100,000			\$100,000
Additional Time for oversight						\$75,000
Advertising, Printing & Copying	\$3,000	\$2,000	\$2,000			\$2,000
Grant Administration Expenses	\$0	\$0	\$0			\$0
Administration Expenses	By Town	By Town	By Town	\$150,000		
Finance Costs/Bonding Costs	By Town	By Town	By Town			
Builders Risk Policy	\$15,000	\$15,000	\$15,000			\$15,000
Subtotal	\$221,000	\$221,000	\$221,000			\$221,000
Architecture and Engineering Fees						
Basic Services						
Design Fee	\$350,000	\$455,000	\$455,000			\$455,000
Construction Administration Fee		\$200,000	\$250,000			\$250,000
Field Construction Administration			\$50,000			\$50,000
Additional A&E Expenses						
Additional Design Fees/Reimbursable Expenses	\$10,000	\$10,000	\$10,000			\$10,000
Cost Estimates (2)	\$0	\$0	\$0			\$0
New Survey and Site Plan	\$25,000	\$25,000	\$25,000			\$25,000
Civil	\$0	\$0	\$0			\$0
Survey Site Utilities	\$0	\$0	\$0			\$0
Subtotal	\$35,000	\$35,000	\$35,000			\$35,000
Testing & Commissioning						
Soil Testing and Exploration						
Hazardous Materials Consultant	\$0					\$0
Geotechnical Engineer/License of Site Professional						\$0
Soil Testing and Exploration (Part of RBA Contract)	\$0					\$0
Structural Peer Review	\$0					\$0
Testing Services						
On Site Testing and Inspections	\$15,000	\$15,000	\$15,000			\$15,000
Commissioning						\$15,000
Independent Commissioning Agent	\$0					\$0
Subtotal	\$15,000	\$15,000	\$15,000			\$30,000
Construction Costs						
Construction Cost	\$4,247,000	\$6,356,815	\$7,476,973	\$7,476,973		\$4,247,000.00
Wastewater Field	\$1,002,000	\$630,000	\$630,000		\$630,000	
Contingency	\$788,000					
Permit Fees	Waived	Waived	Waived			
Subtotal	\$6,037,000	\$6,986,815	\$8,106,973			
Risk Development Costs						
Utilities						
Utility Company Charges	\$30,000	\$30,000	\$30,000			\$30,000
Furniture and Equipment						
Furniture, file cabinets, computers, phones, equipment etc	\$5,000	\$5,000	\$5,000			\$5,000
Subtotal	\$5,000	\$5,000	\$5,000			\$5,000
Contingency						
Construction Contingency	\$300,000	\$454,130	\$375,449			
Building Contingency (Bid Savings)						
Subtotal	\$300,000	\$300,000	\$400,000			\$400,000
PROJECT TOTAL	\$6,892,000	\$8,147,815	\$9,622,973			
Previous approved funding	(\$335,000)	(\$6,823,000)	(\$6,883,000)			
FINAL TOTAL PROJECT COST	\$6,556,000	\$1,324,815	\$2,739,973	\$7,626,973	\$1,666,000	\$0,692,973
	\$9,992,973.00					50%
	(\$1,266,000.00)	Mass Works				
	(\$2,235,056.00)	FIDA			(\$1,500,000.00)	\$2,335,850.00
	\$5,857,123.00	Bonding		(\$2,335,850.00)		
	(\$335,000.00)	Bonded not eligible for SRF				
	\$5,522,123.00	Additional bonding		\$5,291,123.00	\$369,000.00	\$5,857,123.00 Total Bonding
				(\$2,400,000.00)		
				\$2,891,123.00	\$566,000.00	\$3,457,123.00

4) Savery Avenue
D. Update on Savery Avenue wastewater system progress

Septage pump records for Savery Avenue

Report of failure: September 27, 2018

DATE:	COMPANY	GALLONS PUMPED	COST
September 27, 2018	Baystate Sewage Disposal	9,400	1,692.00
October 3, 2018	P Valeri Construction	3,200	630.00
October 3, 2018	P Valeri Construction	3,200	630.00
October 3, 2018	P Valeri Construction	3,200	630.00
October 3, 2018	P Valeri Construction	3,200	630.00
October 4, 2018	P Valeri Construction	3,200	630.00
October 8, 2018	P Valeri Construction [Hideaway Village]	1,890	945.00
October 9, 2018	P Valeri Construction	3,200	630.00
October 10, 2018	P Valeri Construction	3,200	630.00
October 10, 2018	P Valeri Construction	3,200	630.00
October 12, 2018	P Valeri Construction	3,200	630.00
October 15, 2018	P Valeri Construction	3,200	630.00
October 18, 2018	P Valeri Construction	3,200	630.00
October 19, 2018	P Valeri Construction	3,200	630.00
October 22, 2018	P Valeri Construction	3,200	630.00
October 25, 2018	P Valeri Construction	3,200	630.00
October 26, 2018	P Valeri Construction	3,200	630.00
October 29, 2018	P Valeri Construction	3,200	630.00
October 31, 2018	P Valeri Construction	3,200	630.00
November 2, 2018	P Valeri Construction	3,200	630.00
November 5, 2018	P Valeri Construction	3,200	630.00
November 7, 2018	P Valeri Construction	3,200	630.00
November 8, 2018	P Valeri Construction	3,200	630.00
November 10, 2018	P Valeri Construction	3,200	630.00
November 12, 2018	P Valeri Construction	3,200	630.00
November 14, 2018	P Valeri Construction	3,200	630.00
November 16, 2018	P Valeri Construction	3,200	630.00
November 19, 2018	P Valeri Construction	3,200	630.00
November 21, 2018	P Valeri Construction	3,200	630.00
November 23, 2018	P Valeri Construction	3,200	440.00
November 26, 2018	P Valeri Construction	2,200	630.00
November 28, 2018	P Valeri Construction	3,200	630.00
November 30, 2018	P Valeri Construction	3,200	630.00
December 3, 2018	P Valeri Construction	3,200	630.00
December 5, 2018	P Valeri Construction	3,200	630.00
December 7, 2018	P Valeri Construction	3,200	630.00
December 7, 2018	P Valeri Construction	3,200	630.00
December 10, 2018	P Valeri Construction	3,200	630.00
December 11, 2018	P Valeri Construction	3,200	630.00
December 14, 2018	P Valeri Construction	3,200	630.00
December 17, 2018	P Valeri Construction	3,200	630.00
December 17, 2018	P Valeri Construction	3,200	630.00
December 19, 2018	P Valeri Construction	3,200	630.00
December 21, 2018	P Valeri Construction	1,500	300.00
December 24, 2018	P Valeri Construction	3,200	630.00
December 26, 2018	P Valeri Construction	3,200	630.00
December 28, 2018	P Valeri Construction	3,200	630.00
December 31, 2018	P Valeri Construction	3,200	630.00

		gallons pumped	Cost
January 2, 2019	P Valeri Construction	3,200	630.00
January 4, 2019	P Valeri Construction	3,200	630.00
January 7, 2019	P Valeri Construction	3,200	630.00
January 9, 2019	P Valeri Construction	3,200	630.00
January 9, 2019	P Valeri Construction	3,200	630.00
January 11, 2019	P Valeri Construction	3,200	630.00
January 14, 2019	P Valeri Construction	3,200	630.00
January 16, 2019	P Valeri Construction	3,200	630.00
January 18, 2019	P Valeri Construction	3,200	630.00
January 23, 2019	P Valeri Construction	3,200	630.00
January 24, 2019	P Valeri Construction	3,200	630.00
January 26, 2019	P Valeri Construction	3,200	630.00
January 26, 2019	P Valeri Construction	2,000	400.00
January 30, 2019	P Valeri Construction	3,200	630.00
February 1, 2019	P Valeri Construction	3,200	630.00
February 2, 2019	P Valeri Construction	3,200	630.00
February 5, 2019	P Valeri Construction	3,200	630.00
February 8, 2019	P Valeri Construction	3,200	630.00
February 9, 2019	P Valeri Construction	3,200	630.00
February 13, 2019	P Valeri Construction	3,200	630.00
February 15, 2019	P Valeri Construction	3,200	630.00
February 18, 2019	P Valeri Construction	3,200	630.00
February 19, 2019	P Valeri Construction	3,200	630.00
February 21, 2019	P Valeri Construction	3,200	630.00
February 25, 2019	P Valeri Construction	1,000	210.00
February 26, 2019	P Valeri Construction	3,200	630.00
March 1, 2019	P Valeri Construction	1,200	252.00
March 1, 2019	P Valeri Construction	3,200	630.00
March 4, 2019	P Valeri Construction	3,200	630.00
March 4, 2019	Wing Co., Inc.		
March 6, 2019	Wing Co., Inc.	3,462.1	657.80
March 8, 2019	Wing Co., Inc.	2,820.8	535.95
March 4 - March 8	Wing Co., Inc. / Daily Inspections \$40 day	2,489.5	457.81
March 11, 2019	Wing Co., Inc.		200.00
March 13, 2019	Wing Co., Inc.	3,833.1	728.29
March 15, 2019	Wing Co., Inc.	2,887.7	546.76
March 11 - March 15	Wing Co., Inc. / Daily Inspections \$40 day	2,401.5	456.29
March 18, 2019	Wing Co., Inc.		200.00
March 20, 2019	Wing Co., Inc.	3,239.7	615.54
March 22, 2019	Wing Co., Inc.	3,637.1	691.05
March 18 - March 22	Wing Co., Inc. / Daily Inspections \$40 day	2,505.5	476.05
			200.00

TOTAL TO DATE

267,187 \$ 53,474.54

George Sala briefly went over the Savery Ave Septic Pump Records.

James Potter went over the Draft operation and maintenance plans and the Draft consent order. The maintenance plan needs to relay into an operational fee that we need to collect and we need to formulate what that need is going to be, take some of these costs into consideration. We are not going to charge the sewer fee on this system. This will be the Municipal Collection System. We will have a Municipal Collection Fee. The fee will cover pumping out, any minor maintenance that has to be done, some exit strategy. Peter Meier questioned if we should wait to hear from the Finance Director.

DRAFT

March 25, 2019

Board of Health - Town of Bourne
24 Perry Ave.
Buzzards Bay, MA 02532

**Re: Savery Ave Collection and Disposal System
Operation & Maintenance Schedule**

The following is a recommended Operation and Maintenance (O&M) schedule for the Town of Bourne onsite disposal system at the abovementioned project site. The following schedule is to be implemented upon the issuance of the Certificate of Compliance (CoC) for the upgraded system. All inspections are to be conducted by a Massachusetts Department of Environmental Protection Title 5 Approved System Inspector and witnessed by the Town of Bourne Board of Health

Inspection/Maintenance Schedule	Date of Inspection	Approximate Cost
Septic Inspection 6 months after issuance of CoC	T.B.D.	\$500
Annual Septic Inspection	June 1 st	\$500/inspection
Bi-Annual Water Meter Readings	June 1 st & December 1 st	No Cost
Septic Tank Pump Out/Effluent Filter Service	Odd numbered year upon completion of the annual septic inspection or upon request of the Bourne Board of Health	\$2,730 or (13,000 gallons at \$0.21/gal)
Soil Absorption System Underdrain Pump Out	Per request of the Bourne Board of Health upon completion of the annual septic inspection	\$675 or (3,200 gallons at \$0.21/gal)
Inspection Reports to be submitted to BoH	Within 30 days of Inspection	\$250

The system is to be inspected and/or pumped within 48 hours of the identified dates. System components to be inspected shall include all: sewer manholes, septic tanks, d-boxes, inspection ports and the underdrain manhole. The Bourne Board of Health shall maintain copies of all completed inspection forms, pumping records, and inspection reports. An annual Operation and Maintenance update shall be provided to the Bourne Sewer Commissioners by the Bourne Board of Health with 90 days of the completed annual inspection.

Should you have any questions or require any further information, please call our office at 508-833-0070 or email the undersigned at zac@brackeneng.com.

Sincerely,

BRACKEN ENGINEERING, INC.

Zachary L. Basinski, P.E.
Project Manager

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Savery Ave Component Ownership Form

The Town of Bourne, through its Board of Sewer Commissioners, shall own and maintain the following components of the Savery Ave Sewerage Collection and Disposal System:

- Building sewers/laterals located outside all foundation walls;
- Sewer manholes and conveyance lines,
- Existing and proposed septic tanks and associated effluent filters;
- Proposed distribution boxes (d-boxes);
- Proposed Soil Absorption Field;
- Associated vents and inspection ports, and;
- Proposed underdrain manhole.

Savery Ave Financial Assurance Mechanism

The Town of Bourne, through its Board of Sewer Commissioners, shall establish an enterprise fund for the operation and maintenance of the Savery Ave Sewerage Collection and Disposal System. The fund shall be suitable to support:

- All annual inspections,
- Bi-annual (every two year) septic tank pump outs,
- Potential bi-annual soil absorption field pump outs, and;
- Removal and disposal of all septic components located within the ACOE Easement, placement of suitable fill, site grading and site stabilizations of all disturbed areas with 4" of loam and seed.

Note: The existing Savery Ave sewer collection system may be required to be backfilled with flowable fill and abandoned in place. A separate line item shall be provided, if required.

(4)

TOWN OF BOURNE
BOARD OF HEALTH

DRAFT

<p>In the matter of: Properties belonging to: "Respondents"</p> <p>Regarding: Subject Property</p>
--

**ADMINISTRATIVE
CONSENT ORDER**

Future Replacement of
the ~~Community~~
~~Sewage Disposal~~
~~System~~ off Savery
Avenue, Sagamore
Beach

PARTIES

1. The Town of Bourne (the "Town"), acting by and through its Board of Health ("Board"), is a municipal corporation within the Commonwealth of Massachusetts with offices at 24 Perry Avenue, Bourne, MA, 02532.
2. The "Respondents" are the owners of property located at _____ in the Town (the "Property"). Respondent's mailing address is: _____

PURPOSE

3. This Administrative Consent Order ("Consent Order") is entered into under the authority of M.G. L. c.111, §§ 31 and 122, and M.G.L. c.21A, §13, and 310 CMR 15.305.

STATEMENT OF FACTS

4. The Town currently owns and operates a community septic disposal system for Savery Avenue as voted at a Special Town Meeting 10/6/1986, Article 21.
5. The Respondents' Property is located in an area served by this community disposal system.
6. Reference Easement DACW 33-2-88-2, Easement Plan / system location / Expiration.
7. The Respondents currently are connected to the community sewage disposal system on the located within the above identified, which the Board has determined requires an upgrade pursuant to 310 CMR 15.000 (Title 5).
8. The Town intends to upgrade this failed system an operate it until either it fails or October 29, 2037, whichever comes sooner.

CONSENT ORDER

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9. The town proposes to upgrade the existing community septic system for a third and final time. All existing Respondents, currently connected to the system, will be reconnected unless an alternative means of sewage disposal can be provided. All alternative means for disposal must be approved by the Bourne Board of Health by _____.

10. Respondents connected to the community sewerage disposal system shall immediately commence with an alternative sewerage system design plan to be approved by the Board of Health. The installation of the alternative sewage disposal facility shall be by October 29th, 2034 or within one hundred and twenty (120) days of said notice by the Board of Health, if sooner. Said alternative Title 5 sewerage disposal plan shall be approved by the Board of Health and possibly the Department of Environmental Protection. Such approval by the Board to be obtained at a regularly scheduled meeting. The Respondent shall be disconnected from the existing community subsurface sewage disposal system by October 29th, 2034 or within one hundred twenty (120) days from said notice, if sooner, and complete construction of a sewage disposal facility in accordance with the approved engineered plan.

11. At the time of the execution of this Consent Order, the Respondents shall deposit \$XX,XXX.XX into an insured and interest-bearing account of the Town established and maintained by the Town Treasurer pursuant to G.L. c. 44, §53G 1/2 for the purposes stated herein. In the alternative to depositing the full amount as set forth in the preceding sentence, the Respondents shall pay into the fund in 15 yearly installments as follows:

Funding for the next system

- (XXX.XX) on the date of the execution of this Consent Order;
- (XXX.XX) on or before October 1, 2019;
- (XXX.XX) on or before October 1, 2020;
- (XXX.XX) on or before October 1, 2021;
- (XXX.XX) on or before October 1, 2022;
- (XXX.XX) on or before October 1, 2023;
- (XXX.XX) on or before October 1, 2024;
- (XXX.XX) on or before October 1, 2025;
- (XXX.XX) on or before October 1, 2026;
- (XXX.XX) on or before October 1, 2027;
- (XXX.XX) on or before October 1, 2028;
- (XXX.XX) on or before October 1, 2029;
- (XXX.XX) on or before October 1, 2030;
- (XXX.XX) on or before October 1, 2031;
- (XXX.XX) on or before October 1, 2032;
- (XXX.XX) on or before October 1, 2033;
- (XXX.XX) on or before October 1, 2034;

What is this money for?

12. Failure of the Respondents to make any of the installment payments listed herein shall subject the Respondents to the penalties set forth in Paragraph -19 of this Consent Order.

13. The Respondents agree that such funds shall be applied by the Town to defray or satisfy any assessments or charges levied against the Respondents or the Property to connect to the approved alternative sewerage disposal system, identified under Section 10, as

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determined by the Town in accordance with G.L. c.80 and 83.

14. In the event that the Respondents elect to install an alternative sewerage disposal system, in accordance with an approved engineered plan, at any time within the aforesaid fifteen (15) year period, regardless of whether the community disposal system has failed or not failed, upon proof that Respondents have entered into a binding contract to construct an approved alternative sewage disposal system, the Town shall release a portion of said funds to the Respondents to defray all or a portion of the costs of the installation of a conforming Title 5, or any successor environmental code, alternative subsurface sewage system on the Property in accordance with the engineered plan as approved by the Board and, if necessary, the Department of Environmental Protection. Such approval by the Board to be obtained at a regularly scheduled meeting.
15. Upon the Respondents' fulfillment of the terms of this consent order, all remaining funds shall be returned to Respondents forthwith, together with any interest which has accrued thereon.
16. In the event that the Respondents transfer title to or an interest in the Property to another person at any time during the life of this Consent Order, the new owner(s) shall become subject to the terms and conditions of this Consent Order. Foreclosing mortgagees shall be entitled to all rights and benefits set forth in this Consent Order. The Consent Order shall be recorded in the chain of title to the Property upon execution thereof and shall remain on the title and run with the title to the Property until such time as the Town, acting by and through its Board of Health, certifies compliance with the terms and conditions herein.
17. Within five (5) days of the execution of this Consent Order, the Respondents shall provide to the Board, proof of recording of the Consent Order at the Registry of Deeds or Registry District of the Land Court, as appropriate. The Town may record the Order at the Respondents' expense in the event the Respondents fail to do so.

STIPULATED PENALTIES

18. If any action required by this Consent Order is not completed by the prescribed deadline, the Respondents shall pay to the Town without demand a stipulated penalty of \$500 per day unless said deadline is delayed on account of matters beyond the reasonable control of the Respondents or on account of the Respondents' contractor's inability to meet said deadline. Each day of non-compliance shall constitute a separate violation. Payment of the penalty shall be made by certified check, cashier's check or money order payable to the Town of Bourne and such payment shall be mailed to the Board of Health, 24 Perry Avenue, Bourne, MA 02657. Nothing herein shall limit the authority of the Board of Health or Town to pursue additional enforcement measures, whether legal or equitable, including fines and injunctive relief, to enforce this Consent Order or G.L. c.111, §§31 and 122, G.L. c.21A, §13 and 310 CMR 15.00.

TERMINATION

19. Nothing in this Consent Order is intended to limit or restrict the authority of Board of Health, or any other board, commission or officer of the Town to act in accordance with federal, state and local laws within their jurisdiction, including but not limited to G.L. c.111,

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§§31 and 122, G.L. c.21A, §13 and 310 CMR 15.00, and nothing contained herein shall be construed as limiting in any way the authority of the Board of Health to issue such other orders or require such remedial measures as may be necessary, including but not limited to terminating this Consent Order and requiring immediate installation of the alternative system, to abate a threat to public health, safety or the environment caused by the discontinued use of community sewage disposal system.

- 20. In the event that this Consent Order is terminated by the Board, the Town shall release any funds held by the Town pursuant to this Consent Order to the Respondents, to defray all or a portion of the costs of installation of a conforming Title 5, or any successor environmental code, alternative subsurface sewage system on the Property in accordance with the engineered plan as approved by the Board. Said funds shall be released upon proof that Respondents have entered into a binding contract to construct an approved alternative sewage disposal system.

OTHER PROVISIONS

- 21. This Consent Order shall apply to and bind the parties, their officers, employees, agents, successors, heirs, assigns and all other persons and entities acting under them.
- 22. The Respondents voluntarily agree to the terms of this Consent Order.
- 23. If any term or provisions of this Consent Order or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of the Consent order of the application thereof shall be valid and enforceable to the fullest extent permitted by law.
- 24. Each undersigned representative hereby certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the party on whose behalf such representative is signing.

Entered into on this _____ day of _____, 2019

Respondents:

Town of Bourne Board of Health

Terri S. Guarino, R.S., C.H.O.
 Bourne Board of Health
 24 Perry Avenue
 Buzzards Bay, MA 02532

COMMONWEALTH OF MASSACHUSETTS

DRAFT

County of Barnstable

On this _____ day of _____, 2019, before me, the undersigned notary public personally appeared Terri S. Guarino proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledge to me that she signed it voluntarily for its stated purpose.

Signature of Notary Public

Date

Print Name of Notary Public

My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

DRAFT

County of: _____

On this _____ day of _____, 2019, before me, the undersigned notary public personally appeared _____ proved to me through satisfactory evidence of identification, which was a _____, to be the person whose name is signed on the preceding or attached document, and acknowledge to me that (he)/(she) signed it voluntarily for its stated purpose.

Signature of Notary Public

Date

Print Name of Notary Public

My Commission Expires:

James Potter said if we pursue betterments for the Capital, anything else would be a fee, because maintenance fee and other fees cannot be a betterment. Maybe at the end the fee takes into consideration 50% of the remediation and the Sewer Enterprise covers the other 50%. Tom Guerino questioned you would have your maintenance cost, annual maintenance/upkeep, labor costs, that goes into the fee structure on an annual basis; what else would go into that. James Potter said we would get an estimate cost, build an escalation into that and take 50% and that is what we would expect for remediation.

Tom Guerino said when we looked at a \$250,00 bill. Over 15 years with 10 users without interest it came out to \$139 a month. If the Board of Sewer Commissioners thought it appropriate to underwrite a piece of the initial capital costs based on fees paid into the

system over years. If it was \$136,000 running that full amount would bring the monthly amount to about \$63. It is a little less than what they are paying now.

James Potter said we have to find a way that it is affordable to the 10-11 people but doesn't dismantle our 1000-person enterprise system.

James Potter confirmed it's not a shared system because shared involves Title V regulation, there are some things we can't meet in Title V. It is a Municipal Collection System. According to the Consent Order item 11 the Respondents are given the option to pay the full amount or pay in 15 yearly installments.

James Potter said at the next meeting we should have the number of respondents and the consent order, and the plans, so we can plug in the numbers. At the next meeting we will vote on the method of how it will get paid for. We can plug in our estimate and send a letter to the homeowners before that meeting, so they can attend the meeting and we will get confirmation on who's in. and who is leaving.

Tom Guerino said the other article is if the Board of Sewer Commissioners choose to utilize some of the Retained Earning money, then that needs to be authorized to be spent. Mary Jane Mastrangelo suggested to have an article to replenish the Reserve Fund in the Sewer Enterprise Fund.

5) Visioning Agenda - Policy

E. Discuss "Draft" Sewer regulation template & revision (on-going)

James Potter said he sent the members the Draft of the Sewer Regulations as a template so we can look it over.

Tom Guerino said we wanted to make sure it was added to allow the Sewer Department to enter the premises, and the timeframe for cleaning out interceptors and grease traps per Board of Health. We wanted to match the Board of Health on cleaning the grease traps.

James Potter said an important thing is when we are permitting sewer in a case where they have a grease trap, they have gotten permission from the Board of Health before they get their sewer connection. We can consider for the future if the homeowner damages the pump they have to replace the pump.

Peter Meier suggested to consult with the Wastewater Advisory Committee, because they may have a reason for the way things were written.

6) Future Sewer Connections

- F. Veterinary Cancer Specialist of New England - 50 Cohasset Avenue, Buzzards Bay**
- G. Change of use from bank to Veterinary Cancer Treatment Office**

Tom Guerino said these two have come through Planning Board; the Veterinary Clinic and a company Mr. Fence is looking to perhaps locate on Main Street, the beginning of Scenic Highway. There is a low-pressure sewer line, but it isn't connected.

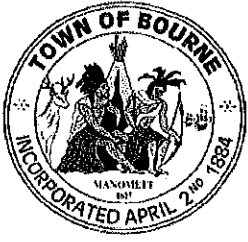
They haven't come to ask for anything, this is to just let you know what may be coming. The Michienzi development on West Main Street, one of the business has changed from a brewery to a tap room. If the Board of Sewer Commissioners has allocated around 13,000 gallons for the brewery; that developer needs to come back before the Sewer Commissioners because the amount of allocation will not be the same as a brewery converting to a tap room. We have the letter from the Planning Board.

7) Public Comment

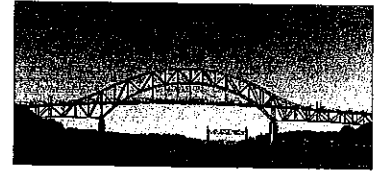
8) Adjourn

Voted Peter Meier moved and seconded by Jarred MacDonald to adjourn.
Vote 4-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Sewer Commissioners Meeting Notice



AMENDED

Date

May 9, 2019

Time

6:30 P.M.

Location

Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

6:30 P.M. Call Public Session to Order in Open Session

1. Consent Agenda
 - a. Approval of meeting minutes: 3.14.2019
2. Sewer Connection – Change of Use
 - b. Veterinary Cancer Specialist of New England – 50 Cohasset Avenue, Buzzards Bay
Change of use from bank to Veterinary Cancer Treatment Clinic
3. Savery Avenue
 - c. Update on Savery Avenue wastewater system progress
4. Allocation Amendments
 - d. Hampton Inn
5. Visioning Agenda – Policy
 - e. Discuss Sewer Allocation policy and procedures (on-going) – Second Reading.
6. Public Comment
7. Adjourn

Board of Sewer Commissioners

James Potter, Chairman

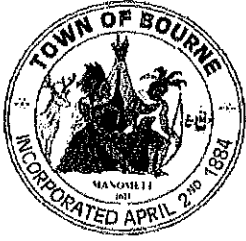
Jared MacDonald, Vice Chairman

Judith Froman, Clerk

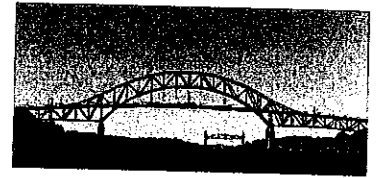
Peter Meier

George Slade

2019 MAY -8 AM 10:20
TOWN OF BOURNE
CLERK



Board of Sewer Commissioners Meeting Notice



Date

May 9, 2019

Time

6:30 P.M.

Location

Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

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Sewer Commissioners Meeting

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Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

Peter Meier

George Slade

TOWN OF BOURNE

2019 MAY -7 PM 4:15

CLERK JUDITH FROMAN

**Sewer Commissioners Meeting
Minutes of Tuesday, May 9, 2019
Bourne Community Building
Bourne, MA 02532**

TA Guerino
Glenn Cannon

Sewer Commissioners

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

RECORDED
2019 JUL 15 PM 3:42
TOWN CLERK BOURNE

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order.

1) Consent Agenda

a. Approval of meeting minutes: 3-14-19

Voted Peter Meier moved and seconded by Judy Froman to approve the minutes from March 14, 2019. Vote 4-0.

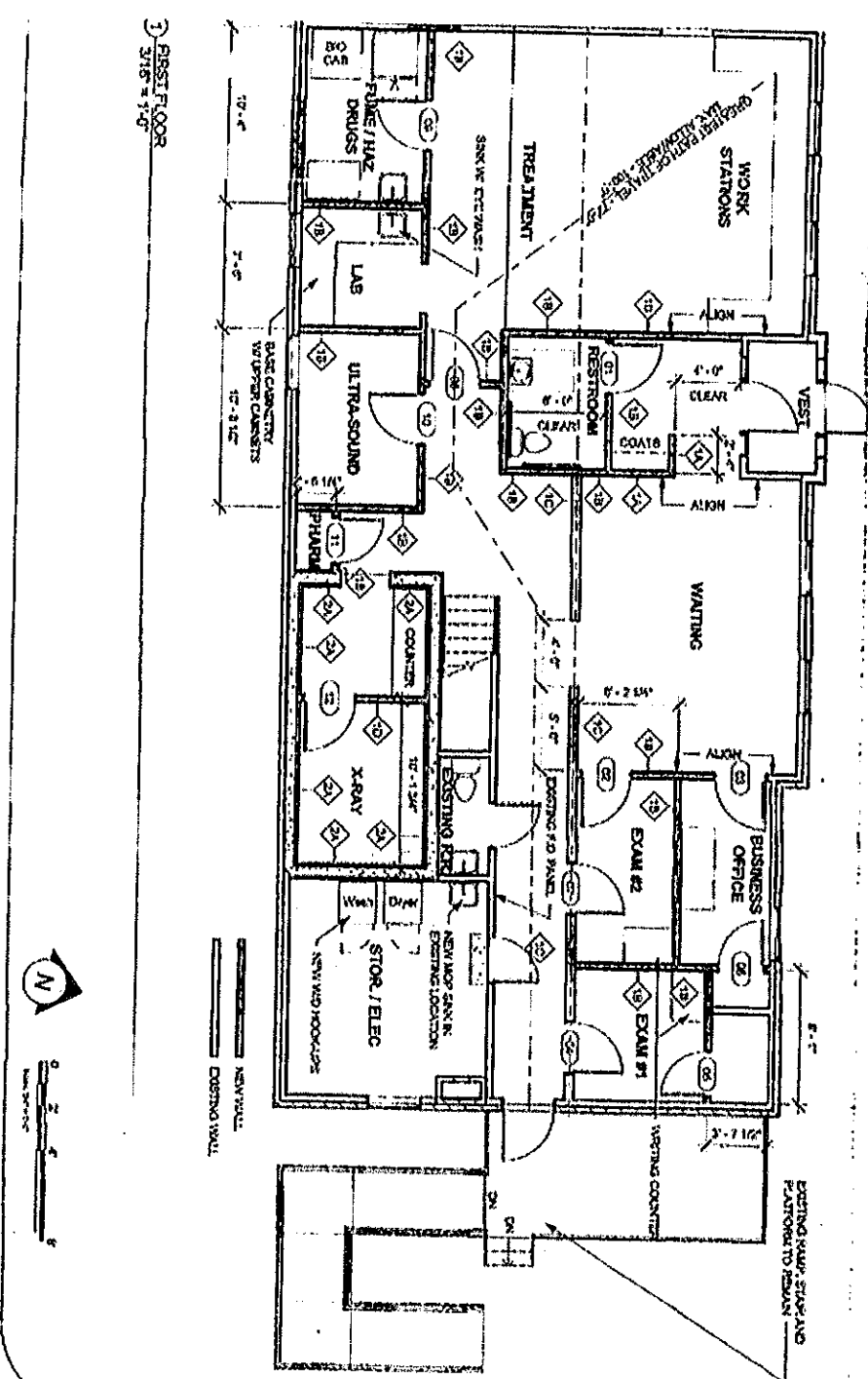
2) Sewer Connection – Change of Use

b. Veterinary Cancer Specialist of New England – 50 Cohasset Avenue, Buzzards Bay
Change of use from bank to Veterinary Cancer Treatment Office

James Potter said it has gone before Planning for a special permit., it was also noted there was sufficient parking.

Tom Guerino said because there was a special permit and change in use, the new policy falls into place with the reuse of the building and the \$1500 fee has been paid.

Jason Herzog said it is an appointment only; one or two patients at a time, there is no kenneling. Renovating existing bank into veterinary cancer treatment clinic. Has two exam rooms, treatment room, lab, X-ray.



FIRST FLOOR
3/15 - 1/05



NEW WALL
EXISTING WALL

PRC

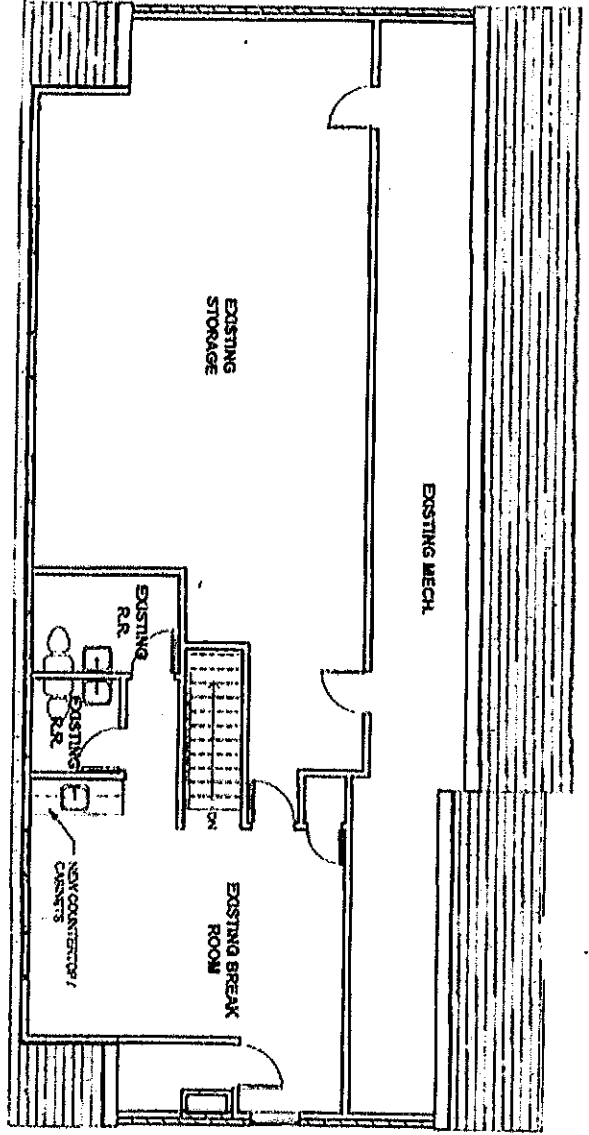
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DATE
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D

2 SECOND FLOOR
 3/16 = 1/4"



NASHED BIRCH	H/M	3'-0"	3'-8"
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NASHED BIRCH	H/M	3'-0"	6'-8"
NASHED BIRCH	H/M	3'-0"	6'-8"

1A	2x4 WOOD STUD PARTITION	WOOD STUD BOUND @ 16" O.C. 2x4 BASE PLATE WALL BASE SEE FINISH SCHEDULE FLOOR FLOOR SEE FINISH FLOOR	
1B	2x4 WOOD STUD PARTITION W/ SOUND ATTENUATION BATT INSULATION		
1C	2x4 WOOD STUD PARTITION W/ SOUND ATTENUATION BATT INSULATION		
1D	2x4 WOOD STUD PARTITION W/ LED LINED GRASS ON STAIRCASE		
2A	2x4 WOOD STUD PARTITION	2x4 WOOD STUD BOUND @ 16" O.C. 2x4 BASE PLATE WALL BASE SEE FINISH SCHEDULE FLOOR FLOOR SEE FINISH FLOOR	

VCS of NE New Location

Voted Judy Froman moved and seconded by Peter Meier to approve the change of use sewer connection for Veterinary Cancer Specialist of New England at 50 Cohasset Ave.
Vote: 4-0.

3) Savery Avenue

c. Update on Savery Avenue wastewater system progress

James Potter said at Town Meeting we received authorization to go out and borrow as required.

Tom Guerino said since the vote on Town Meeting, have been in email contact with Zachary Basinski from Bracken Engineering to prepare the bid documents and go out to bid. Also to make sure he contacts and puts the proper written documentation for the Corps of Engineers for the construction area while that is being building. It's my understanding we are going to have a meeting to make sure we have all the information to go before the Board of Health; and when we put the application in that everything is in line with the Health Agent before it goes forward.

Peter Meier questioned why has this permit taken so long.

Tom Guerino said because of the problems that we encountered with the initial vote, looking at the history of this, then noting the betterments that were supposed to be assigned but weren't assigned. Some of the Health Departments concern relative to scaling on an every 15-year bases and this will end in perpetuity. The Health Board had some concerns as to what happens when it fails again, what are the responsibilities of the home owners, and/or the municipality. We had to do outreach, and there have been time delays because of peoples' meeting schedules. We waited on the Corps to get us an extension on the land.

Judy Froman questioned at what point do we need a firm commitment from the homeowners that will be part of this system? James Potter said a couple people let us know already about opting out, so at this point we know who is going to opt to be part of this system.

Stephen Mealy questioned does this eliminate the towns involvement after the system is completed or is the town still responsible for the maintenance or replacement down the road. Tom Guerino said the plan at this time is this is a municipal system; it will remain a municipal system with betterments being placed on the owners to help defray the cost. The maintenance of the system over the life of the system, (pumping, chemicals) will be set on the municipality. The intent is to take these properties and extract them from the current system they are on, they will have a betterment and a user fee; until the time this concludes about 15 years out.

James Potter said we are responsible for the remediation of the existing system on the Army Corps land, we will build in the remediation cost as part of the fee. The short term is to get these residents on a working system. We have to start working on the edification for

a long-term option. Peter Meier said we should start looking at grants to help get the cost down for the long-term option for these residents.

Judy Froman questioned when do we expect to get the bids back. Tom Guerino said probably 6-7 week from the time we put the bids in to when we accept bids and give notice of award.

Mary Jane Mastrangelo questioned if the Board of Health will approve the system before it goes out to bid. Mr. Guerino said Yes.

4) Allocation Amendments

d. Hampton Inn

This agenda item was not discussed.

5) Visioning Agenda - Policy

e. Discuss Sewer Allocation Policy and Procedures (on-going) - Second Reading

James Potter said we had a couple edits from the last meeting.

Tom Guerino said those changes have been made. Change word from Shall to May and some paragraph restructuring.

Peter Meier said by the time a person has gotten a building permit they have gone through many mile stones and now under the Sewer Policy they MAY be converted to an operational allocation. They need this allocation. That word should be SHALL.

James Potter read The Preliminary Allocation shall be converted. The reason why it was changed to May is because it goes with The Board of Sewer Commissioners may review allocation if the scope has changed. The thought process was if someone changed their allocation after going to the Planning Board, when they come back to the Sewer Commissioners, we want to be able to review the allocation again.

Judy Froman suggested there should be a disclaimer before they go to IV that if the project changes in any way the Board of Sewer Commissioners needs to be updated to confirm the allocation change. Is there a way under category C if the project changes from the original scope the Board of Sewer Commissioners are notified, in case we want to change the allocation? Ms. Froman said for any type of change, significant change, it needs to be stated that it comes back to the Board of Sewer Commissioners prior to IV.

James Potter said the Board of Sewer Commissioners have to have the discretion to decide is the project getting the allocation they first requested. We should take the first sentence and move it to the end of that section.

Stephen Mealy said within A is was supposed to mean the only thing that should be coming to the Sewer Commissioners is the final project design that was approved by the other

Boards. Suggest leaving the word Shall and you might want to add by a majority vote of the Board.

Mary Jane Mastrangelo suggested it to read: The Preliminary Allocation shall be converted to an Operational Allocation by a majority vote of the Board based on Mass DEP regulation and final approved project design when the project has been issued a building permit.

James Potter said the first change we wanted to address is After the Board reviewed the application on a first come first serve the project demonstrated evidence of adequate financing. Under Section III

C. The Board shall review applications on a first come, first served basis within sixty days after the Application is deemed complete. If the requested allocation is available within the Uncommitted Reserve Capacity, the Board shall grant Preliminary Allocations to projects which:

- 1) Demonstrate evidence of adequate financing;
- 2) Demonstrate control of the project's parcels (i.e. Purchase and Sale agreement, evidence of ownership);
- 3) Demonstrate that the requested allocation is based on state and local regulations.

D. Have been presented to the Planning Board for preliminary project review;

E. Have Milestones established with the mutual agreement of the Board and the Applicant;

F. If the Board grants a Preliminary Allocation, the Applicant shall have up to two years to initiate construction. A Preliminary Allocation Fee is due at the time the Board grants the Preliminary Allocation (see Section VII).

1) During the two years, the Applicant shall show substantial progress in regular six-month reports to the Board. *If there are any allocation changes based on DEP regulations the Board of Sewer Commissioners should be notified within 6 months of the change and the preliminary allocation will be adjusted accordingly. The Board may attach conditions and may reduce or increase the Allocation based on Massachusetts DEP regulations and final approved project design. Where capacity is reduced by Board action, the unused capacity shall revert to the Town.* 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. If the Preliminary Allocation is revoked, the allocation shall revert to the Town.

2) When the Board grants a Preliminary Allocation, the Applicant shall pay a Preliminary Allocation Fee as set forth in the Town's Schedule of Rates and Fees.

3) If the Board extends the Preliminary Allocation beyond the designated two- year period, the Applicant shall annually pay a Preliminary Allocation Extension Fee (see Section VII).

G. The Application Fee, the Preliminary Allocation Fee, and any Preliminary Allocation Extension Fees are non-refundable if the Preliminary Allocation is revoked by a majority vote of the Board.

H. After the Board's vote to grant a Preliminary Allocation, the Applicant shall be issued a letter signed by the Town Administrator certifying to the existence of a Preliminary Allocation for that specific project/parcel(s) and including any conditions imposed by the Board. Copies of the letter will be sent to the Building Inspector, Health Agent, and Planning Board.

IV. Obtaining an Operational Allocation

A. The Board may attach conditions and may reduce or increase the Allocation based on Massachusetts DEP regulations and final approved project design. Where capacity is reduced by Board action, the unused capacity shall revert to the Town.

B. The Preliminary Allocation shall be converted to an Operational Allocation by a majority vote of the Board when the project has been issued a Building Permit.

C. After the Board's vote to convert the Preliminary Allocation to an Operational Allocation, the Applicant shall be issued a letter signed by the Town Administrator certifying to the existence of an Operational Allocation for that specific project/parcel(s) and including any conditions imposed by the Board.

Mary Jane Mastrangelo suggested under Demonstrate that the requested allocation is based on the state and local regulations, if you add to that, If there are any projects changes that change the needed allocation based on Mass DEP regulations, then the preliminary allocation will be adjusted accordingly.

Judy Froman said if the Planning Board, Builder, or developer had some type of change that would affect the amount of sewer usage and water usage, there has to be a mechanism in this policy that reminds everyone that the Sewer Commissioners need to be informed/revisited.

Mary Jane Mastrangelo suggest this is where you have to put changes to the project. During the two years, the Applicant shall show substantial progress in regular six-month reports to the Board.

If there are any allocation changes based on DEP regulations the Board of Sewer Commissioners should be notified within 6 months of the change and the preliminary allocation will be adjusted accordingly.

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Stephen Mealy suggested to give it back to the Wastewater Advisory Committee and have a couple workshops. Tom Guerino said the Board of Sewer Commissioners has the capacity and can make the changes necessary through open public meetings.

Stanley Andrews said IV. A. is there because the Planning Board finished doing their approval, so you need to reevaluate the flow, because the Planning Board may have reduced the scope. James Potter said it could be in both places, we need to reference it early on under F1.

Judy Froman suggest to change the title to Policy and Procedures.

Mary Jane Mastrangelo said you need to develop a template for the milestones. As projects come in and you are looking at milestones there should be a similar template that you would be looking at for the projects, so it would be helpful to have a template for milestones.

James Potter said we don't have a mechanism to ask Wareham for capacity. We talked about having an amendment/procedure where we could ask Wareham for allocations if needed, to accommodate for a project.



Second Reading
Town of Bourne
Board of Sewer Commissioners
Commercial Wastewater Management Allocation Policy

SC

Contents	
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IV. Obtaining an Operational Allocation.....	3
V. Managing Unused/Underused Allocations	3
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VII. Fees.....	4
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Attachments	

I. Purpose of these Policies and Procedures

The Town of Bourne (referred to herein as the Town), through an Inter-Municipal Agreement, may send up to 200,000 gallons per day (gpd) of wastewater for treatment and disposal to a plant owned by the Town of Wareham. Further, it is anticipated that another 100,000 gpd will be available for allocation when a new package treatment plant on the Town's Queen Sewell Park site becomes operational. The Board of Sewer Commissioners (referred to herein as the Board) controls the allocation of wastewater treatment capacity among parcels in the sewerred areas of the Village of Buzzards Bay and assigns allocations on a parcel-by-parcel basis.

In order to follow an objective process for awarding wastewater allocations, the Board shall henceforth apply the following procedures for granting allocations from the Town's Uncommitted Reserve Capacity to development and re-development in Bourne's Downtown.

These policies and procedures are in effect primarily for commercial development; single-family residences and residential buildings with up to four units are exempt. The guideline for which properties/projects are required to follow these procedures is: if a development or a change of use requires review by the Bourne Planning Board, then it requires review by the Board of Sewer Commissioners using the policies and procedures described herein.

Further, in order to ensure that unused allocations will not prevent property owners and/or developers from coming forward with projects that may be in the long-term *best* interests of the Town, the Board hereby *establishes* a *system* of periodic reviews of allocations.

II. Uncommitted Reserve Capacity

Annually, during the month of September, the Board shall determine the Uncommitted Reserve Capacity, as defined in Section VIII.

The Board shall grant allocations from the Uncommitted Reserve Capacity in a two-step process detailed below: Applicants shall obtain a Preliminary Allocation and, after meeting established Milestones, can request an Operational Allocation.

III. Obtaining a Preliminary Allocation

A. The Applicant shall apply to the Board for a Preliminary Allocation on a form prescribed by the Board. A sample is appended to this policy statement. An Application Fee (Filing Fee) is due at the time the application is deemed complete and accepted (see Section VII).

B. If the application requests a flow amount that exceeds the Uncommitted Reserve Capacity (see draft application) but is otherwise complete, it will be dated and put on a waiting list. When allocation becomes available, the Board will consider requests on the waiting list in the order in which they were dated. If enough allocation is available and the application fee is paid, the project application will be deemed complete and accepted.

C. The Board shall review applications on a first come, first served basis within sixty days after the Application is deemed complete. If the requested allocation *is* available within the Uncommitted Reserve Capacity, the Board shall grant Preliminary Allocations to projects which:

- 1) Demonstrate evidence of adequate financing;
- 2) Demonstrate control of the project's parcels (*i.e.* Purchase and Sale agreement, evidence of ownership);

D. 3) Have been presented to the Planning Board for preliminary project review;

E. 4) Have Milestones established with the mutual agreement of the Board and the Applicant; and

3. 5- Demonstrate that the requested allocation is based on state and local regulations.

F. ~~D.~~ If the Board grants a Preliminary Allocation, the Applicant shall have up to two years to initiate construction. A Preliminary Allocation Fee is due at the time the Board grants the Preliminary Allocation (see Section VII).

- 1) During the two years, the Applicant shall show substantial progress in regular six-month reports to the Board. 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. If the Preliminary Allocation is revoked, the allocation shall revert to the Town.

- 2) When the Board grants a Preliminary Allocation, the Applicant shall pay a Preliminary Allocation Fee *as set forth* in the Town's Schedule of Rates and Fees.
- 3) If the Board extends the Preliminary Allocation beyond the designated two year period, the Applicant shall annually pay a Preliminary Allocation Extension Fee (see Section VII).

G.~~E~~. The Application Fee, the Preliminary Allocation Fee, and any Preliminary Allocation Extension *Fees* are non-refundable if the Preliminary Allocation *is* revoked by a majority vote of the Board.

H.~~F~~. After the Board's vote to grant a Preliminary Allocation, the Applicant shall be issued a letter signed by the Town Administrator certifying to the existence of a Preliminary Allocation for that specific project/parcel(s) and including any conditions imposed by the Board. Copies of the letter will be sent to the Town's Building Inspector, Health Agent and Planner.

IV. Obtaining an Operational Allocation

The Preliminary Allocation may ~~shall~~ be converted to an Operational Allocation by *vote* of the Board when the project has been issued a Building Permit.

A The Board may attach conditions and may reduce or increase the Allocation based on Massachusetts DEP regulations and final approved project design. Where capacity *is* reduced by Board action, the unused capacity shall revert to the Town.

B. After the Board's vote to convert the Preliminary Allocation to an Operational Allocation, the Applicant shall be issued a letter signed by the Town Administrator certifying to the existence of an Operational Allocation for that specific project/parcel(s) and including any conditions imposed by the Board. Copies of the letter will be sent to the Town's Building Inspector, Health Agent and Planner.

V. Managing Unused/Underused Allocations

A. Within six months of the adoption of this policy, the Board shall conduct a public hearing in order to review the Allocations made to parcels on which betterments have been paid but no development has occurred. At that hearing, parcel owners shall be invited to provide the Board with a report of their plans for development within the next two years.

- 1) If the parcel owner does not provide such a report, or if the parcel owner reports but has no acceptable plans for development in the next two years, the parcel will be considered as having no allocation.
- 2) If, at a future time, the parcel owner presents a development project, the owner shall go through the full application process as defined herein.

B. If a project with an Operational Allocation has no flow two (2) years after the date that the allocation was granted by the Board, it shall expire and revert to the

Town's Uncommitted Reserve Capacity. There shall be no refund of any fees paid on the reverted Allocation. The Board may grant extensions if it finds that the holder of the Allocation has been working diligently to implement the project and no relevant local or state approvals have expired.

C. When a project that has been granted its Operational Allocation is complete and has been online for three years, the Board shall compare actual flows against the amount granted in the Operational Allocation.

- 1) If the actual average daily flow exceeds the Allocation, the applicant shall apply for an Allocation equal to the difference, and shall pay the user fee assessed per gpd by the Town at that time.
- 2) If the actual average daily flow is less than the Allocation, the difference in gpd shall revert to the Town's Uncommitted Reserve Capacity unless the Applicant can demonstrate a continuing need. There shall be no refund of previously paid fees.

VI. Conversion of Existing Allocations

- A. At the time of the adoption of this policy, existing Allocations in functional facilities shall be considered Operational Allocations.
- B. Allocations that have been granted by vote of the Board to projects not complete at the time of the adoption of this policy shall be considered Preliminary Allocations. The developer or owner of such projects shall have six months to meet the requirements for a Preliminary Allocation as stated in Section III C. herein and to pay the Preliminary Allocation Fee described herein minus the amount of fees paid previously. When the requirements of Section III C. herein have been met, the procedures in Section III D-F herein shall apply.

VII. Fees

- A. During the process of obtaining a Preliminary Allocation, the applicant shall be assessed fees as periodically established by the Board, which is hereby authorized to establish or amend wastewater allocation fees from time to time as follows:
 - 1) Application Fee: due upon application for a Preliminary Allocation.
 - 2) Preliminary Allocation Fee: due within 30 days of the Board's approval of the Preliminary Allocation. The fee shall be based upon the projected wastewater flow.
 - 3) Preliminary Allocation Extension Fee: due within 30 days of the Board's vote to extend the Preliminary Allocation beyond the original two years and shall be paid annually for as long as the extension is continued.
- B. When the allocation is converted to an Operational Allocation by vote of the Board, the applicant shall pay user fees as designated by the Board of Sewer Commissioners.

C. In cases where a Preliminary Allocation expires and a new person applies for capacity for the same project on the same site, the Board may consider previous fees paid by the original person when establishing fees for the new project.

VIII. Definitions

The following words and phrases have the meanings below:

Actual Flow: the volume of wastewater from any individual unit (residential, commercial or institutional) connected to the sewers as measured by a certified water meter.

Allocation: a specified amount of wastewater treatment capacity measured in gallons per day (gpd) assigned to a specific project on a specific parcel or parcels upon a majority vote of the Board. All allocations to projects shall be based on state and local regulations. The transfer of all or part of an allocation is prohibited unless approved in writing by the Board.

Allocation Fee: a non-refundable fee established by the Board to be paid by the Applicant within 30 days of the time the Allocation, Preliminary or Operational, is voted.

Application: a form which shall be completed by the Applicant to request an allocation of wastewater management capacity from the Uncommitted. Reserve Capacity. A sample form is attached to this policy statement. The Board may from time to time vote adjustments in the information requested on the form.

Application Fee (Filing Fee): a non-refundable one-time fee established by the Board to be paid at the time the Application is deemed complete and accepted. An application shall be deemed complete when it is date stamped and signed by the receiving Town official. Incomplete applications, including applications without the required fee, shall not be processed.

Board: the Bourne Board of Sewer Commissioners.

Development and re-development: the construction of improvements on a parcel or parcels of land for any purpose, including, but not limited to institutional, commercial and/or industrial activity.

Gpd: gallons per day

Milestones: goals set by mutual agreement between the Applicant and the Board to measure progress toward meeting the requirements to convert a Preliminary Allocation to an Operational Allocation. Some examples are: finalizing financing, demonstrating control of the parcel(s), receiving final order of conditions from the Planning Board, obtaining all required state and local permits.

Operational Allocation: an amount of wastewater treatment capacity in gallons per day assigned to a project by vote of the Board after the project has been issued a Building Permit. This may or may not be the same allocation amount as in the Preliminary Allocation depending on the parameters of the project, the availability of a different

amount of allocation, and the demonstration by the applicant that the project meets all state and local requirements for wastewater treatment. The Operational Allocation shall be reviewed after three years. Any excess of actual flows over the Operational allocation shall not be available to the project, to another project, or to project expansion and shall be returned to the Town's Uncommitted Reserve Capacity.

Operational Allocation Fees: annual user fees as designated by Town regulations. The first Operational Allocation Fee shall be due within 30 days of the Board's vote to grant an Operational Allocation.

Preliminary Allocation: an amount of wastewater treatment capacity in gallons per day assigned for a period of two years to a project in its early stages of development. If all appropriate conditions to the project are met, this Preliminary Allocation assures the applicant that the required wastewater treatment capacity will be available when the project is ready for operations. As a condition for retaining the Preliminary Allocation, the Applicant must provide status reports to the Board every six months. The Preliminary Allocation shall be voided if the Applicant does not provide information for these periodic reviews or if the Board determines by majority vote that the mutually agreed upon Milestones are not met. The Board can extend a Preliminary Allocation beyond two years or convert a Preliminary Allocation to an Operational Allocation by majority vote.

Preliminary Allocation Fee: anon-refundable one-time fee based on the project's projected flow. This fee shall be due within 30 days of the Board's vote to grant a Preliminary Allocation.

Preliminary Allocation Extension Fee: anon-refundable fee paid at the time the Board votes to extend a Preliminary Allocation beyond the normal two-year period. This fee shall be due within 30 days of the Board's vote to extend and shall be paid annually for as long as the extension is continued.

Residential Reserve: two percent of the systems' designated treatment capacity held in reserve to allow expansion by existing single-family residences. This reserve is to be calculated annually as part of the determination of the Uncommitted Reserve Capacity.

Sewers: the wastewater treatment system.

Uncommitted Reserve Capacity: that portion of the wastewater systems' treatment capacity remaining after subtracting the Preliminary Allocations, the Operational Allocations, existing residential flow and the Residential Reserve from the systems' designated treatment capacity. This determination shall begin by comparing all allocations, Preliminary and Operational, with actual flows for the previous fiscal year, on a parcel or project basis. Parcel/project owners with significant differences between allocations and flows shall be requested to explain the difference and describe any changes expected in the next 12 months. The Board reserves the right to reduce the allocation for projects more than three years old demonstrating a significant excess of allocation over flow. In that case, the difference between the new and old allocations shall revert to the Town and be counted in the Uncommitted Reserve Capacity. (See page 3 for parcels with paid betterments and unused flow capacity.) The Board shall

Commercial Wastewater Management Allocation Policy

determine the amount of the Uncommitted Reserve Capacity annually and designate such Uncommitted Reserve Capacity to be available for the next fiscal year.

User fees or sewer use fees: annual fees established by vote of the Board.

Waiting list: a list of applications where the requested allocation was not available but which are otherwise deemed complete. The list is stored with the dated applications.

Wastewater: used water discharged from buildings to the treatment plant and monitored on a continuing basis. Can be interchanged with "sewage."

Attachments:

Proposed Preliminary Commercial Allocation Application Form
Flowchart

Certificate of Vote

Adopted by vote of the Bourne Board of Sewer Commissioners

Oct 4 2017

Date



Michael A. Blanton


George G. Slade, Jr. Vice Chair


Judith MacLeod-Froman

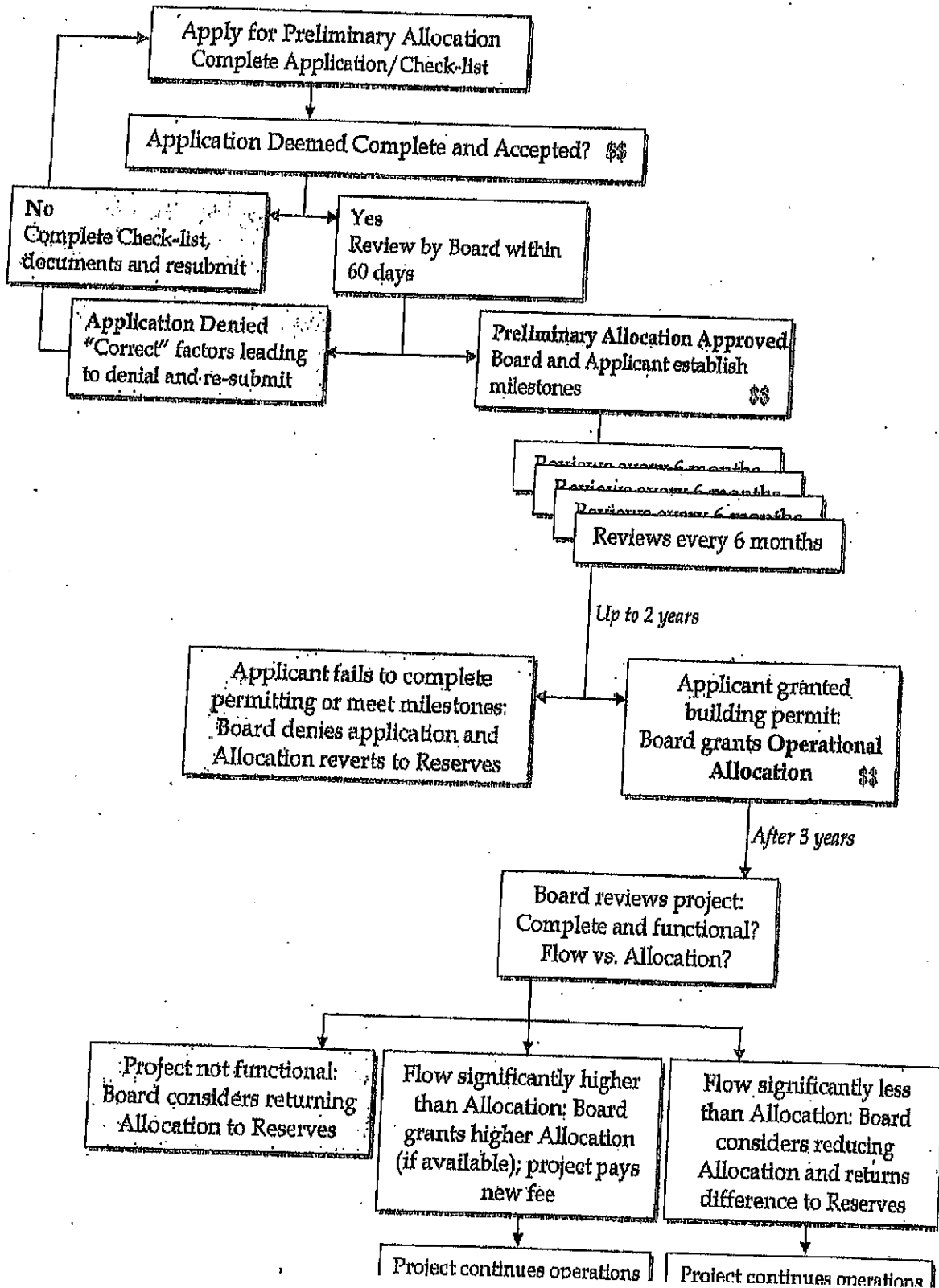

Donald J. Pickard, Clerk

A True Record

Barry Johnson, Town Clerk

**Sewer Commissioners Meeting
Minutes of Tuesday, May 9, 2019
Bourne Community Building
Bourne, MA 02532**

Flow Chart of Application Process for Wastewater Allocations



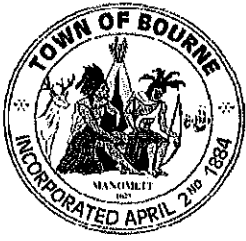
Voted Peter Meier moved and seconded by Judy Froman to send this to third reading with the edits that were suggested. Vote: 4-0

6) Public Comment

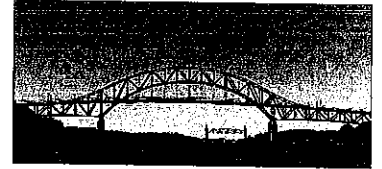
7) Adjourn

Voted Peter Meier moved and seconded by Judy Froman to adjourn. Vote: 4-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Sewer Commissioners Meeting Notice



Date

June 18, 2019

Time

7:15 P.M.

Location

Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

7:15 P.M. Call Public Session to Order

1. Consent Agenda

- a. Approval of meeting minutes: 02.26.2019; 03.28.19; 05.09.2019

2. Reorganization

- b. Reorganization of the Sewer Commissioners - Chair, Vice Chair, Clerk

3. Savary Avenue

- c. 7:15 PM Construction and Implementation of the Community Septic System on Savary Avenue update

4. Visioning Agenda – Policy

- d. Discuss Wastewater Allocation policy and procedures (on-going) – new language and scope of Allocation policy.
- e. Discuss Consulting firm to assist Commissioners with Sewer rate study and allocation
- f. Discussion of reviving Wastewater Advisory Subcommittee

5. Wastewater Allocation Policy

5A. Amendments:

1. Hampton Inn – David Darling / 12 Kendall Rae Place, Buzzards Bay
2. Vincent Michienzi / 85 – 93 Main Street, Buzzards Bay

5B. Project Status 6-Month Updates:

1. Vincent Michienzi - 100 Main Street Block Development, Buzzards Bay
2. Bob Gendron / Greg Wirsen - Wagner Way / Maritime Holdings for Proposed Independent Assisted Living and Memory Care, Buzzards Bay

6. Adjourn

Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

Peter Meier

George Slade

2019 JUN 14 PM 12:57
RECEIVED

**Sewer Commissioners Meeting
Minutes of Tuesday, June 18, 2019
Bourne Community Building
Bourne, MA 02532**

TA Guerino

Sewer Commissioners

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

2019 AUG 14 AM 9:27

TOWN CLERK BOURNE

RECEIVED

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Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

7:15 p.m. Call public session to order

Chm. Potter called the meeting to order at 7:19 pm.

1) Consent Agenda

a. Approval of meeting minutes: 2-26-19; 3-28-19; 5-9-19

Voted Judy Froman moved and seconded by George Slade to approve the minutes of February 26, 2019. Vote: 4-0-0.

Voted Judy Froman moved and seconded by Jared MacDonald to approve the minutes of March 28, 2019. Vote: 4-0-0.

Voted Judy Froman moved and seconded by George Slade to approve the minutes of May 9, 2019. Vote: 4-0-0.

2) Reorganization

b. reorganization of the Sewer Commissioners – Chair, Vice Chair, Clerk

James Potter said he did request to continue as the Chair of the Sewer Commissioners.

Voted Judy Froman moved and seconded by Jared MacDonald to reappoint Mr. Potter as the Chair of the Board of Sewer Commissioners. Vote: 4-0-0.

Jared MacDonald volunteered to remain as the Vice Chair of the Board of Sewer Commissioners.

Voted George Slade moved and seconded by Judy Froman to nominate Jared MacDonald to continue as the Vice Chair of the Board of Sewer Commissioners.
Vote: 4-0-0.

Judy Froman volunteered to remain as the Clerk of the Board of Sewer Commissioners.

Voted Jared MacDonald moved and seconded by George Slade to nominate Judy Froman to continue as the Clerk of the Board of Sewer Commissioners. Vote: 4-0-0.

3) Savary Avenue

c. 7:15 Construction and Implementation of the Community Septic System on Savary Avenue update

Residents from Savary Ave that are present are:

39 Savary Ave – Stephanie Cornick Trust; 50 Savary Ave – Phillip Kozar II; Sylvia Family Realty Trust; Burton and Mary Ann Bouldry; 33 Savary Ave – Charles Neff; 31 Savary Ave – Jean Cole; and 38 Savary – Cleary, he hasn't been getting any correspondents.

James Potter said the Town Administrator was able to send out some information for the resident to show where we are in the process. Attorney Troy, Town Counsel and Zachary Basinski, Bracken Engineering are here to present tonight. We have been taking time to accumulate the necessary documents that need to be filed; and the documents you will have to review and sign. It was suggested to have your attorney review the documents. The documents will be filed with the Registry of Deeds that go along with the property, so when you sell the property the easement goes along with the property. It has taken time to get all the documents that need to be filed.

Jared MacDonald said we suggested folks get private legal counsel so they understand what is going to change for their property.

Attorney Troy said the first thing we did was look at and identify the documents that are necessary to implement a shared system under DEP regulations. A shared system, in this case is a community septic system. A system that is joined by the participation of the parties (private property owners) who elect to participate.

The property owners are one participant, the second participant is the Town, because the town is funding the project. The third participant is the Army Corps of Engineers.

Everyone will sign agreements that will bind them that will make the system work. The covenant, a document, is a prerequisite for participation in the system.

The easements are needed for the Town to have the right to go into the private property and onto the Army Corps of Engineer's property, if necessary, to maintain and/or repair the system. The easements are also mandatory.

We encourage the individual property owners to review the document with their counsel.

The final step is the issue of the apportionment of costs. That is up to the Board of Sewer Commissioners to determine at a public hearing at a later date.

In terms of the procedure, there is jurisdiction with the Sewer Commissioners there is also jurisdiction with the Board of Health. It was determined the Sewer Commissioners to decide what their proposal is going to be. After that is decided and voted on, the Sewer Commissioners will then apply to the Board of Health. At that point the Sewer Commissioners jurisdiction ends and the Board of Health takes over; the Board of Health will enforce its requirement. The Board of Health has to approve the project, after that approval is done it will go out to bid. The Sewer Commissioners need to determine how the project will be handled, will there be a project manager or will it be run by Town Hall. Once it goes out to bid it's just a matter of construction and the Sewer Commissioners finishing up the betterments.

James Potter said another step that was part of this process was Town Meeting and the authorization to borrow.

Zachary Basinski said the system design was sent off to the manufacture, it will fit within the existing easement of the system based on the conversation with the Board of Health Agent and upgrading the tanks and maximizing the size of the field.

Jared MacDonald said there will be protections in place for no parking, by anyone, that area will be protected.

Judy Froman questioned what are the calculation for the number of homes or occupants?

Zachary Basinski said it is designed by the number of bedrooms from the Assessors Department, based on that we maximized the field, it is based on 11 homes. George Slade questioned what if the number of bedrooms changes, would that effect the apportionment. Zachary Basinski said if we get less we can talk about reducing the number, but right now we have maxed out within the easement. If more people come on you have to ask for additional relief from the Board of Health.

Attorney Troy said one of the decisions the Sewer Commissioners has to look at is one of the ways to apportionment the use and the cost of the system is by the sewer units. There is a determination made for each property and how many bedrooms the property has. That is the basis of the calculation of the sewer units.

Gentlemen from audience questioned how will we find a way to pay for the usage, it was a flat rate; are we charged for what we use or is it one price.

James Potter said we can take into consideration what each property owner uses. The operational cost will not be much, it should be less than the flat fee you are paying now. The sewer fee will not be what you have been paying. We talked about creating a new fee that would correlate to the new system, pumping it out every year, the Savary Ave fee of operation will be reducing, but you will be picking up the betterment.

Jared MacDonald said we want people to understand that legal counsel should be taken so the home owners understand this process and how it will affect each homeowner. There are going to be costs assessed, which will be the betterments, but the apportionment fee, which is the maintenance and pumping fees will be less. The home owners will be paying the betterment and the fees.

Mr. Cleary questioned the betterment process, what is the framework for the costs. James Potter said we have 6 months to put together the betterments, to report those. The estimates we authorized \$265. This Board has talked about offsetting with the \$135 that was paid over the 15 years. We will have to talk more as a Board about the pump out costs and what is the offset for those. We will also have to remediate the land. We will bond it out for 15 years. The goal is there will be another system either on town property, sewer or septic system. If there isn't sewer available at that time, we will be working towards to provide easements under the road ways to allow for private septic systems to be installed.

Tom Guerino said the documents are a template; it is to give folks an idea of the paperwork they will be getting. Kathy Pearson Board of Health requested a copy of the documents.

Stephanie Cornick questioned should we wait for the final documents before we have an attorney review them. James Potter said we sent out a draft, we will send out the final documents. We strongly suggested you have an attorney look at the documents, it isn't required. These have to be filed because previously they weren't done, going forward if you sell the home there will be legal documents that will go with the sale of the house.

Attorney Troy said the covenant is legal. I sent the final documents to Town Hall on Monday, and don't anticipate any more changes. The easement is a broad easement, because when the original system was installed there was nothing recorded at the Registry of Deeds, so we don't know where any pipes are located. When the covenants are executed they will be recorded at the Registry of Deeds to show what this transaction is, the easement will also be recorded. To proceed you have to vote tonight to proceed with that format or hold another meeting.

Voted Judy Froman moved and seconded by Jared MacDonald to move the community septic system application forward to the Board of Health, put all the documents and plans together.
Vote: 4-0-0.

Tom Guerino said Glen Cannon and or I will work with counsel, the Select Board, and Zachary Basinski to get the information on the application and submit it to the Health Department and the Board of Health.

James Potter said we are trying to move this forward. If we can get through the permitting process and the bidding process, we are probably looking at very early fall to start construction and get the system in before winter.

4) Visioning Agenda Policy

d. Discuss Wastewater Allocation policy and procedure (on-going) – new language and scope of allocation policy

e. Discuss Consulting firm to assist Commissioners with Sewer rate study and allocation.
f. Discussion of reviving Wastewater Advisory Subcommittee

James Potter said we were working on the third reading of the policy, there are a couple section that we need to add. We can finalize third reading where we are now, and then start another reading on the new section. There was new information brought forward. There are two sections, one is the discussion about asking Wareham for additional capacity as an amendment to the IMA, which should be an avenue within the allocation policy. Secondly, we need a separate section in the allocation policy so we can revisit existing properties for allocations.

Jared MacDonald said he would suggest to not move on with the third reading until it is complete. Judy Froman said it makes sense to come up as a draft for that one area and add it to this for the third reading.

James Potter said within our allocation policy we want to be able to go to Wareham and ask for an amendment to the IMA for additional allocations. We should consider hiring a consulting firm to help with the rate study moving forward between the new treatment facility and between old allocation and new allocation. We need a new formula so we are solvent. We need expertise to assist us with that. We had an informal sit down with Tie and Bond to talk about their services. If we put together our usage numbers of each properties and what they use, we put together our existing allocation policy, and our existing rates they can take that information and build it into a template formula that we can use. They can plan us 5-10 years out on how we implement that fee so we are meeting the expenses.

Jared MacDonald said we don't have the capability to fine tune and make projections, this fine-tunes it to the point to where we are fiscally able to create business in the town of Bourne. It gives us outlook for how a sewer system can create economic expansion. They will be able to give us a future look at what we can and can't do and how much we need to charge based on certain criteria. We don't have the staff to do that.

James Potter said I trust our staff but it would be beneficial to our Board to have a consulting firm help with that; it is like an audit.

Judy Froman said we are going towards a more sophisticated and more complex system. We need to make sure of our operational costs and preparation for our retained earnings. This is something they specialize in.

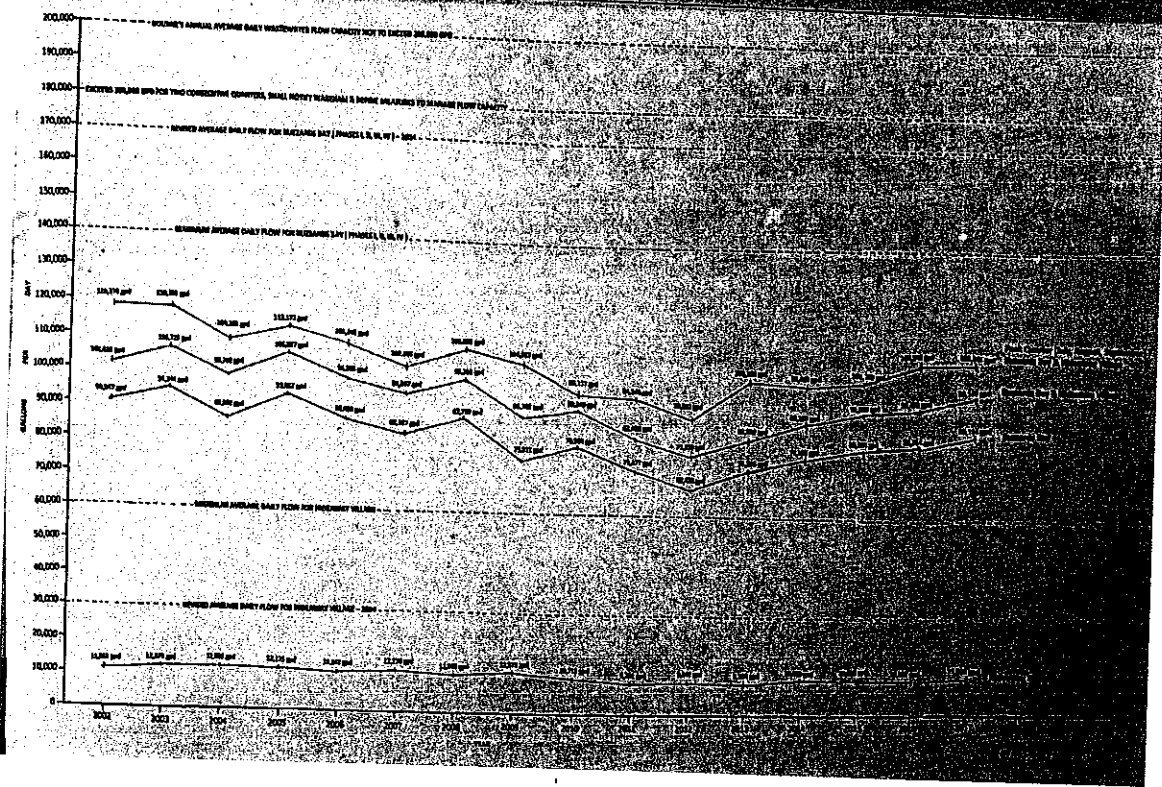
Tom Guerino said this also allows for different types of fee structures to be looked at. We have sent some material to Tie and Bond to provide us a proposal. We sent them three years of use-data. James Potter said we just want to get a proposal.

Tom Guerino provided the current allocations, and spoke about the peak times and allocations.

Sewer Allocation			
Date	Name	Address	Project
01.29.2013	Keystone Place	214 Main Street	Independent Assisted Living and Memory Care
09.14.2014	Perry Avenue Corporation	25 Perry Avenue & 12 Kendall Rae Place	Hotel/Residential Development Residential Development
09.19.17	Calamar Enterprises	13 Kendall Rae Place	
10.13.2015	100 Block of Main	24 Cohasset Avenue 32 Cohasset Avenue 32A Cohasset Avenue 0 Main Street 105 Main Street 111 Main Street 129-127 Main Street	Mixed use development
09.25.2018	The Vincent Michienzi Revocable Trust	85 - 99 Main Street	Brewery/Top Room/Café/2 Restaurants
09.27.18	Mahoney's on Main	57 Main Street	Restaurant (Formerly Joe's Cafe)
05.29.2018	Blended Berries	288 Main Street	Juice Bar
05.09.2019	Veterinary Cancer Treatment Clinic	50 Cohasset Avenue	Clinic/Treatment Clinic

Pending Allocation			
Date	Name	Address	Project
10.13.2015	Maritime Holdings, LLC c/o CrisCon, Inc.	Wester Way	Proposed Independent Assisted Living and Memory Care

Updated: 06.18.2019



Gary Maloney, Buzzards Bay, said this policy that we will update, when things were deleted from the policy it doesn't state why it is deleted or if it was added to another section. I gave numbers to Mr. Guerino in January, are those people going to be subject to these same things with a recalculation of their allocation every six months, every year? James Potter said residential are probably closer to what they use, it is the commercial properties that have calculation from a long time ago and we'll see it in commercial properties. Mr. Maloney questioned will there be a

growth policy along with the allocation policy? Mr. Potter said that is something the consultant can help with.

Mary Jane Mastrangelo said if you're not moving forward with the third reading of this policy, is the existing original policy still enforced. Mr. Potter said yes.

Mary Jane spoke about managing used and under-used allocations. If someone has an allocation and they are operational but are not using the full allocations, the Board can go in and adjust the allocation. The only people that have allocation voted by the Board of Sewer Commissioners are the recent projects that have been given allocations. How can you change people's allocation when the Board didn't give allocations?

James Potter said they do have allocations, because there is DEP guidelines that they were based on. While the Board didn't vote an allocation, we can recalculate the allocation they currently have, because we know the usage and the history.

Jared MacDonald said we don't have to continue to third reading. I feel that we are going to move it along quick enough that we can adjust this and get a correct allocation policy done, and do the three reading then.

4.f. Discussion of reviving Wastewater Advisory Subcommittee

Judy Froman questioned was the original charge to come up with a policy? George Slade said the charge would change. Tom Guerino said the original charge was to look at wastewater issues in the Buzzards Bay district. Once that was determined and they started moving forward, the Advisory Committee handed off the project to the Wastewater Design and Construction Group.

Tom Guerino said that Mr. Meier has suggested the Board consider expanding the scope of the Wastewater Advisory Committee to start looking at town wide related issues; wastewater, nitrogen loading, 208 issues, they are going to be prevalent.

Jared MacDonald said it is not the right time, later on down the road when we get further along would be a better time to address that, so we can look at different things we can charge them with. James Potter said I don't see a clear need right now, but maybe we can get the consultant to give us things to think about, we might be able to task the sub-committee with exploring things that come to light.

Judy Froman said it is broader in scope, and there are people interested and people have expertise and familiarity. It would be worthwhile to reactivating them, and the timing of that would be when we get the results back from the consultant. Ms. Froman said at our next meeting would like to look at the charge of that committee, to make sure it is applicable with the direction we are going.

5) Wastewater Allocation Policy

a. Discuss "Draft" Sewer regulation template & revision (on-going)

1. Amendments: Hampton Inn – David Darling – 12 Kendall Rae Place, Buzzards Bay

2. Vincent Michienzi - 85-93 Main Street, Buzzards Bay

b. Project Status 6 Month Update

1. Vincent Michienzi - 100 Main Street Block Development, Buzzards Bay

2. Bob Gendron/Greg Wirsen - Wagner Way / Maritime Holdings for proposed Independent Assisted Living and Memory Care, Buzzards Bay

James Potter said there is a request for an operational allocation increase from 11,000 to 15,243

Eric Brainsky, representing Hampton Inn and Mr. Darling, said we are looking for an approval of an additional 4,043 gpd. Mr. Brainsky spoke about the gallonages that will be used. We want to work with the Town, we want to keep the project moving.

WASTEWATER DESIGN (GPD) SUMMARY

Perry Ave Hotel

Prepared by: [Name]

Revised June 12, 2019

Category	Units	Flow Rate (GPD)	Design Flow (GPD)
Hotel	100 Bedrooms	110	11,000
Office Building	1000 sf	75	23
Restaurant, Fast Food	20 Seats	20	1,000
Lounge, Tavern	20 Seats	20	180
Function Hall	15 Seats	15	2,700
Function Hall	24 Seats	15	360
Total Flow			15,243

James Potter questioned the pool, when you drain the pool does it go into our system. David Darling said ideally the pool won't have to be drained. If it does need to be drained we would have a company come in and neutralize it. The pool in West Yarmouth hasn't been drained in 10 years.

Judy Froman questioned the laundry facilities. David Darling said that is included in the usage gallonages. We discussed with the Health Agent the thought process for Title V along with the Civil Engineer to come up with a current calculation, which was 20 gpd. There were questions on the calculation for the breakfast area, the breakfast area will seat hotel customers only. The bar will also be for hotel customers only.

Tom Guerino said we have the flow capacity available; I would tend the 4,043 gallons per day and would recommend the Board grant the additional gallonages recommended by the Health Agent. Then 2 years down the road we can see what the actual flow is, and adjust back at that point.

James Potter said this will be a property we will revisit in about three years to see the usage. This follows the guidelines and meets the DEP calculations. Don't see a problem with this request.

Voted Jared MacDonald moved and seconded by Judy Froman to amend and give the additional 4, 043 gallonages per day. Vote: 4-0-0

5.a.2. Vincent Michienzi – 85-93 Main Street, Buzzards Bay/0 Main Street/100 Main Street

James Potter said this is four tenants and a micro-brewery and the micro-brewery changed to a tap room. Mr. Potter questioned if the residents have changed. Mr. Michienzi said the bakery switched to Juice place; the rest are the same.

Tom Guerino said we did a recalculation. We originally thought Mr. Michienzi would have to come down 223 gpd., because of the brewery, but that was going to take a separate permit. We didn't include that in what we originally allocated. There doesn't need to be a change to what Mr. Michenzi has on record.

James Potter said we need a 6-month update on the property. Mr. Michenzi said the property is coming along.

Jared MacDonald asked if he has closing timeframes. Mr. Michenzi said Eversource will set the pole next week. Thai is ready to open. The brewery is almost done.

James Potter said we do still have to vote the final allocation.

Mr. Michenizi said regarding 0 Main Street, we will start on that as soon as the Thai restaurant moves over. 100 Main Street, we are moving forward. The front building will be torn down, we will fix the old barn.

James Potter said there was an allocation given by the Board. Mr. Michenzi said once we see how the Hampton does, if it does well, we have a hotel that will come in. We may look at housing for the MMA. We are trying to do a mixed use, we have almost 5 acres. Tom Guerino said it was 27,080 gallons, which was based on the hotel. Mr. Michenzi said if we don't do the hotel, we can do the housing. Mr. Michienzi stated that he would be willing to give back 27,000 gallons of allocation if someone else could use it.

Tom Guerino questioned the former bank. Mr. Michenzi said right now the former bank is being used as a training facility for nurses.

5.b.2 Bob Gendron/Greg Wirsen – Wagner Way / Maritime Holdings for proposed Independent Assisted Living and Memory Care, Buzzards Bay

James Potter said he would like a 6-month update.

Greg Wirsen said we are still waiting for the Board to act and give us preliminary allocation. Mr. Guerino said they wanted 17,715. Greg Wirsen said we were next on the list but we haven't

heard back from the Board. We haven't moved the project forward because we weren't sure if we had allocations yet.

James Potter questioned if we voted to allocate the number you need will you be able to move forward. Greg Wirsen said we need to get allocation, then we would go into the planning phases. We have been waiting since 2015. There isn't much to talk about without allocation. I believe if you voted allocation Mr. Gendron would move forward.

James Potter said part of the policy is it gets you in the que, you could start planning and move forward, and if you don't the Board could take the allocation back.

Mr. Guerino questioned how short on allocation they were. Greg Wirsen said they were short 7,000-9,000 gallons. James Potter said we could accommodate that amount. Tom Guerino said the Board didn't vote any allocation before, so the Board would have to vote the total amount. Jared MacDonald said we are in agreement that we do have the available allocation.

Tom Guerino questioned Mr. Wirsen if this gets voted and Mr. Gendron's Board of Directors voted they are still about 18 months out. Mr. Wirsen said that seems correct.

Voted Jared MacDonald moved and seconded by Judy Froman to give the proposed allocation of 17,750 gpd for the proposed project on Wagner way for Maritime Holdings, LLC and GenCon Corporate, as a preliminary allocation.

Greg Wirsen questioned the difference between preliminary allocation and actual allocation. Tom Guerino said the policy states once you get a building permit then you will know what your actual flow will be, this is an estimated flow based on the schematics of what you're going to build. Once you get your building permit you will get an actual allocation.

James Potter said we know we have the capacity, and you have your applications on file; we ask that you to present to the Planning Board for preliminary review. They will review it, when they do that review you come back to us and we will vote the actual gallonages. We did vote to set that aside for a proposed allocation. Tom Guerino said the 17,750 is now a preliminary reserved allocation.

Vote: 4-0-0

6) Adjourn

Voted Jared MacDonald moved and seconded by Judy Froman to adjourn at 9:14 P.M.
Vote 5-0.

Respectfully submitted - Carole Ellis, secretary.

**Sewer Commissioners Meeting
Minutes of Tuesday, June 18, 2019
Bourne Community Building
Bourne, MA 02532**

RECORDED

2019 OCT 21 PM 2:36

T. W. WALKER BOWEN

TA Guerino

Sewer Commissioners

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

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7:15 p.m. Call public session to order

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2) Reorganization

b. reorganization of the Sewer Commissioners – Chair, Vice Chair, Clerk

James Potter said he did request to continue as the Chair of the Sewer Commissioners.

Voted Judy Froman moved and seconded by Jared MacDonald to reappoint Mr. Potter as the Chair of the Board of Sewer Commissioners. Vote: 4-0-0.

Jared MacDonald volunteered to remain as the Vice Chair of the Board of Sewer Commissioners.

Voted George Slade moved and seconded by Judy Froman to nominate Jared MacDonald to continue as the Vice Chair of the Board of Sewer Commissioners.
Vote: 4-0-0.

Judy Froman volunteered to remain as the Clerk of the Board of Sewer Commissioners.

Voted Jared MacDonald moved and seconded by George Slade to nominate Judy Froman to continue as the Clerk of the Board of Sewer Commissioners. Vote: 4-0-0.

3) Savary Avenue

c. 7:15 Construction and Implementation of the Community Septic System on Savary Avenue update

Residents from Savary Ave that are present are:

39 Savary Ave – Stephanie Cornick Trust; 50 Savary Ave – Phillip Kozar II; Sylvia Family Realty Trust; Burton and Mary Ann Bouldry; 33 Savary Ave – Charles Neff; 31 Savary Ave – Jean Cole; and 38 Savary – Cleary, he hasn't been getting any correspondents.

James Potter said the Town Administrator was able to send out some information for the resident to show where we are in the process. Attorney Troy, Town Counsel and Zachary Basinski, Bracken Engineering are here to present tonight. We have been taking time to accumulate the necessary documents that need to be filed; and the documents you will have to review and sign. It was suggested to have your attorney review the documents. The documents will be filed with the Registry of Deeds that go along with the property, so when you sell the property the easement goes along with the property. It has taken time to get all the documents that need to be filed.

Jared MacDonald said we suggested folks get private legal counsel so they understand what is going to change for their property.

Attorney Troy said the first thing we did was look at and identify the documents that are necessary to implement a shared system under DEP regulations. A shared system, in this case is a community septic system. A system that is joined by the participation of the parties (private property owners) who elect to participate.

The property owners are one participant, the second participant is the Town, because the town is funding the project. The third participant is the Army Corps of Engineers.

Everyone will sign agreements that will bind them that will make the system work. The covenant, a document, is a prerequisite for participation in the system.

The easements are needed for the Town to have the right to go into the private property and onto the Army Corps of Engineer's property, if necessary, to maintain and/or repair the system. The easements are also mandatory.

We encourage the individual property owners to review the document with their counsel.

The final step is the issue of the apportionment of costs. That is up to the Board of Sewer Commissioners to determine at a public hearing at a later date.

In terms of the procedure, there is jurisdiction with the Sewer Commissioners there is also jurisdiction with the Board of Health. It was determined the Sewer Commissioners to decide what their proposal is going to be. After that is decided and voted on, the Sewer Commissioners will then apply to the Board of Health. At that point the Sewer Commissioners jurisdiction ends and the Board of Health takes over; the Board of Health will enforce its requirement. The Board of Health has to approve the project, after that approval is done it will go out to bid. The Sewer Commissioners need to determine how the project will be handled, will there be a project manager or will it be run by Town Hall. Once it goes out to bid it's just a matter of construction and the Sewer Commissioners finishing up the betterments.

James Potter said another step that was part of this process was Town Meeting and the authorization to borrow.

Zachary Basinski said the system design was sent off to the manufacture, it will fit within the existing easement of the system based on the conversation with the Board of Health Agent and upgrading the tanks and maximizing the size of the field.

Jared MacDonald said there will be protections in place for no parking, by anyone, that area will be protected.

Judy Froman questioned what are the calculation for the number of homes or occupants?

Zachary Basinski said it is designed by the number of bedrooms from the Assessors Department, based on that we maximized the field, it is based on 11 homes. George Slade questioned what if the number of bedrooms changes, would that effect the apportionment. Zachary Basinski said if we get less we can talk about reducing the number, but right now we have maxed out within the easement. If more people come on you have to ask for additional relief from the Board of Health.

Attorney Troy said one of the decisions the Sewer Commissioners has to look at is one of the ways to apportionment the use and the cost of the system is by the sewer units. There is a determination made for each property and how many bedrooms the property has. That is the basis of the calculation of the sewer units.

Gentlemen from audience questioned how will we find a way to pay for the usage, it was a flat rate; are we charged for what we use or is it one price.

James Potter said we can take into consideration what each property owner uses. The operational cost will not be much, it should be less than the flat fee you are paying now. The sewer fee will not be what you have been paying. We talked about creating a new fee that would correlate to the new system, pumping it out every year, the Savary Ave fee of operation will be reducing, but you will be picking up the betterment.

Jared MacDonald said we want people to understand that legal counsel should be taken so the home owners understand this process and how it will affect each homeowner. There are going to be costs assessed, which will be the betterments, but the apportionment fee, which is the maintenance and pumping fees will be less. The home owners will be paying the betterment and the fees.

Mr. Cleary questioned the betterment process, what is the framework for the costs. James Potter said we have 6 months to put together the betterments, to report those. The estimates we authorized \$265. This Board has talked about offsetting with the \$135 that was paid over the 15 years. We will have to talk more as a Board about the pump out costs and what is the offset for those. We will also have to remediate the land. We will bond it out for 15 years. The goal is there will be another system either on town property, sewer or septic system. If there isn't sewer available at that time, we will be working towards to provide easements under the road ways to allow for private septic systems to be installed.

Tom Guerino said the documents are a template; it is to give folks an idea of the paperwork they will be getting. Kathy Pearson Board of Health requested a copy of the documents.

Stephanie Cornick questioned should we wait for the final documents before we have an attorney review them. James Potter said we sent out a draft, we will send out the final documents. We strongly suggested you have an attorney look at the documents, it isn't required. These have to be filed because previously they weren't done, going forward if you sell the home there will be legal documents that will go with the sale of the house.

Attorney Troy said the covenant is legal. I sent the final documents to Town Hall on Monday, and don't anticipate any more changes. The easement is a broad easement, because when the original system was installed there was nothing recorded at the Registry of Deeds, so we don't know where any pipes are located. When the covenants are executed they will be recorded at the Registry of Deeds to show what this transaction is, the easement will also be recorded. To proceed you have to vote tonight to proceed with that format or hold another meeting.

Voted Judy Froman moved and seconded by Jared MacDonald to move the community septic system application forward to the Board of Health, put all the documents and plans together.
Vote: 4-0-0.

Tom Guerino said Glen Cannon and or I will work with counsel, the Select Board, and Zachary Basinski to get the information on the application and submit it to the Health Department and the Board of Health.

James Potter said we are trying to move this forward. If we can get through the permitting process and the bidding process, we are probably looking at very early fall to start construction and get the system in before winter.

4) Visioning Agenda Policy

d. Discuss Wastewater Allocation policy and procedure (on-going) – new language and scope of allocation policy

e. Discuss Consulting firm to assist Commissioners with Sewer rate study and allocation.
f. Discussion of reviving Wastewater Advisory Subcommittee

James Potter said we were working on the third reading of the policy, there are a couple section that we need to add. We can finalize third reading where we are now, and then start another reading on the new section. There was new information brought forward. There are two sections, one is the discussion about asking Wareham for additional capacity as an amendment to the IMA, which should be an avenue within the allocation policy. Secondly, we need a separate section in the allocation policy so we can revisit existing properties for allocations.

Jared MacDonald said he would suggest to not move on with the third reading until it is complete. Judy Froman said it makes sense to come up as a draft for that one area and add it to this for the third reading.

James Potter said within our allocation policy we want to be able to go to Wareham and ask for an amendment to the IMA for additional allocations. We should consider hiring a consulting firm to help with the rate study moving forward between the new treatment facility and between old allocation and new allocation. We need a new formula so we are solvent. We need expertise to assist us with that. We had an informal sit down with Tie and Bond to talk about their services. If we put together our usage numbers of each properties and what they use, we put together our existing allocation policy, and our existing rates they can take that information and build it into a template formula that we can use. They can plan us 5-10 years out on how we implement that fee so we are meeting the expenses.

Jared MacDonald said we don't have the capability to fine tune and make projections, this fine-tunes it to the point to where we are fiscally able to create business in the town of Bourne. It gives us outlook for how a sewer system can create economic expansion. They will be able to give us a future look at what we can and can't do and how much we need to charge based on certain criteria. We don't have the staff to do that.

James Potter said I trust our staff but it would be beneficial to our Board to have a consulting firm help with that; it is like an audit.

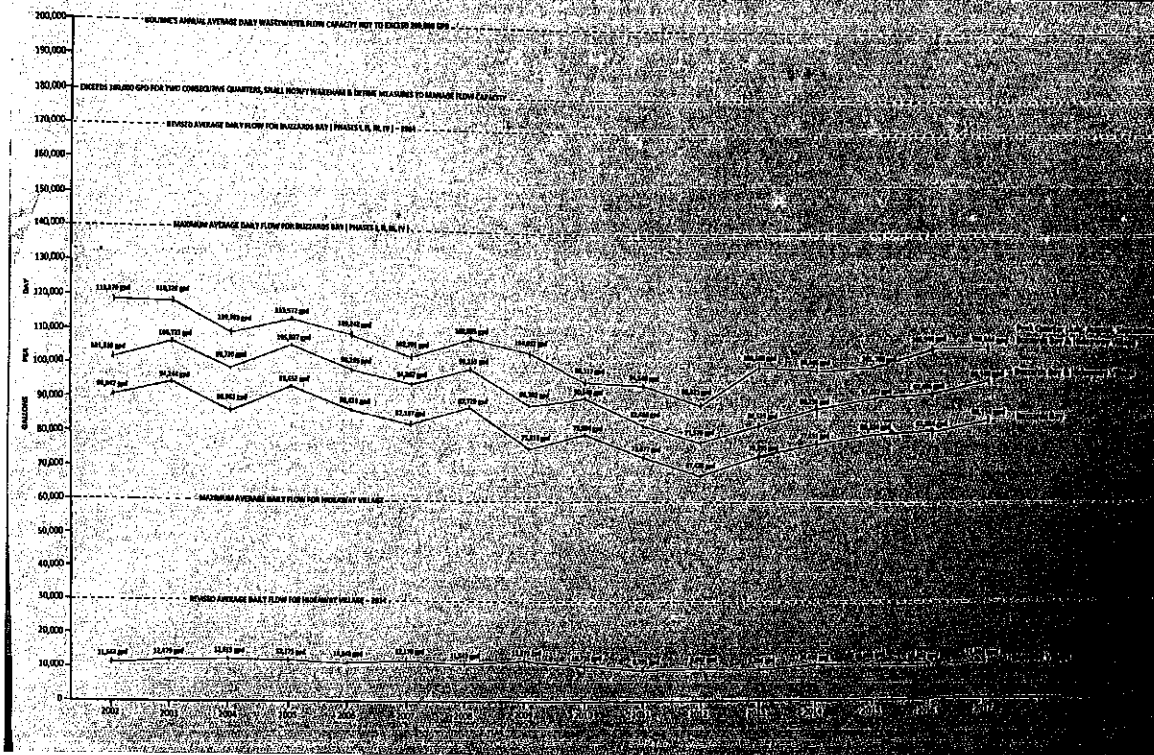
Judy Froman said we are going towards a more sophisticated and more complex system. We need to make sure of our operational costs and preparation for our retained earnings. This is something they specialize in.

Tom Guerino said this also allows for different types of fee structures to be looked at. We have sent some material to Tie and Bond to provide us a proposal. We sent them three years of use-data. James Potter said we just want to get a proposal.

Tom Guerino provided the current allocations, and spoke about the peak times and allocations.

Sewer Allocation						
Date	Name	Address	Project	Allocation Approved	Notes	
01.29.2013	Keystone Place	218 Main Street	Independent Assisted Living and Memory Care	21,410		
				14,000		
09.14.2014	Perry Avenue Corporation	25 Perry Avenue &/& 12 Kendall Rae Place	Historic Residential Development	27,100		
			Residential Development	11,200		
				15,900		
09.19.17	Calamar Enterprises	13 Kendall Rae Place		15,800		
				15,800		
10.13.2015	100 Block of Main	24 Cohasset Avenue 32 Cohasset Avenue 32A Cohasset Avenue 0 Main Street 105 Main Street 111 Main Street 123-127 Main Street	Mixed use development	27,000		
09.25.2018	The Vincnet Michlenz Revocable Trust	85-93 Main Street	Brewery/Tap Room/Bakery/2 Restaurants	19,000		New Allocation Application
03.27.18	Mahoney's on Main	57 Main Street	Restaurant (Formerly Bob's Grill)	13,500		New Allocation Application
05.29.2018	Blended Berries	283 Main Street	Juice Bar	4,000		New Allocation Application
05.09.2019	Veterinary Cancer Treatment Clinic	50 Cohasset Avenue	Cancer Treatment Clinic	Not in Allocation		New Allocation Application
				Allocation/Agree		
Pending Allocation						
Date	Name	Address	Project	Allocation Approved	Notes	
10.13.2015	Maritime Holdings, LLC c/o GenCom, Inc.	Wages, W	Proposed Independent Assisted Living and Memory Care	14,000		
				14,000		

Updated: 06.18.2019



Gary Maloney, Buzzards Bay, said this policy that we will update, when things were deleted from the policy it doesn't state why it is deleted or if it was added to another section. I gave numbers to Mr. Guerino in January, are those people going to be subject to these same things with a recalculation of their allocation every six months, every year? James Potter said residential are probably closer to what they use, it is the commercial properties that have calculation from a long time ago and we'll see it in commercial properties. Mr. Maloney questioned will there be a

growth policy along with the allocation policy? Mr. Potter said that is something the consultant can help with.

Mary Jane Mastrangelo said if you're not moving forward with the third reading of this policy, is the existing original policy still enforced. Mr. Potter said yes.

Mary Jane spoke about managing used and under-used allocations. If someone has an allocation and they are operational but are not using the full allocations, the Board can go in and adjust the allocation. The only people that have allocation voted by the Board of Sewer Commissioners are the recent projects that have been given allocations. How can you change people's allocation when the Board didn't give allocations?

James Potter said they do have allocations, because there is DEP guidelines that they were based on. While the Board didn't vote an allocation, we can recalculate the allocation they currently have, because we know the usage and the history.

Jared MacDonald said we don't have to continue to third reading. I feel that we are going to move it along quick enough that we can adjust this and get a correct allocation policy done, and do the three reading then.

4.f. Discussion of reviving Wastewater Advisory Subcommittee

Judy Froman questioned was the original charge to come up with a policy? George Slade said the charge would change. Tom Guerino said the original charge was to look at wastewater issues in the Buzzards Bay district. Once that was determined and they started moving forward, the Advisory Committee handed off the project to the Wastewater Design and Construction Group.

Tom Guerino said that Mr. Meier has suggested the Board consider expanding the scope of the Wastewater Advisory Committee to start looking at town wide related issues; wastewater, nitrogen loading, 208 issues, they are going to be prevalent.

Jared MacDonald said it is not the right time, later on down the road when we get further along would be a better time to address that, so we can look at different things we can charge them with. James Potter said I don't see a clear need right now, but maybe we can get the consultant to give us things to think about, we might be able to task the sub-committee with exploring things that come to light.

Judy Froman said it is broader in scope, and there are people interested and people have expertise and familiarity. It would be worthwhile to reactivating them, and the timing of that would be when we get the results back from the consultant. Ms. Froman said at our next meeting would like to look at the charge of that committee, to make sure it is applicable with the direction we are going.

5) Wastewater Allocation Policy

a. Discuss "Draft" Sewer regulation template & revision (on-going)

1. Amendments: Hampton Inn – David Darling – 12 Kendall Rae Place, Buzzards Bay

2. Vincent Michienzi – 85-93 Main Street, Buzzards Bay

b. Project Status 6 Month Update

- 1. Vincent Michienzi – 100 Main Street Block Development, Buzzards Bay
- 2. Bob Gendron/Greg Wirsen – Wagner Way / Maritime Holdings for proposed Independent Assisted Living and Memory Care, Buzzards Bay

James Potter said there is a request for an operational allocation increase from 11,000 to 15,243

Eric Brainsky, representing Hampton Inn and Mr. Darling, said we are looking for an approval of an additional 4,043 gpd. Mr. Brainsky spoke about the gallonages that will be used. We want to work with the Town, we want to keep the project moving.

WASTEWATER DESIGNER'S ASSOCIATES
 Perry Ave. Holdings, Inc. / 100 Main Street
 Prepared by: Robert W. White, C.E.P./J.R.
 Revised June 9, 2019

Category	Number Units	Number Bedrooms	Total	Units	Type of Establishment (310 CMR 15.203)	Flow Rate (GPD)	Design Flow (GPD)
Hotel Rooms	100	100	100	Bedrooms	Motel, Hotel, Boarding House	110	11,000
Entertainment Building	302		302	1000 sf	Office Building	75	23
Breakfast Room	50		50	Seat	Restaurant, Fast Food	20	1,000
Bar	8		8	Seat	Lounge, Tavern	20	160
Meeting Room	180		180	Seat	Function Hall	15	2,700
Board Meeting Room	24		24	Seat	Function Hall	15	360
Total Flow:							15,243

James Potter questioned the pool, when you drain the pool does it go into our system. David Darling said ideally the pool won't have to be drained. If it does need to be drained we would have a company come in and neutralize it. The pool in West Yarmouth hasn't been drained in 10 years.

Judy Froman questioned the laundry facilities. David Darling said that is included in the usage gallonages. We discussed with the Health Agent the thought process for Title V along with the Civil Engineer to come up with a current calculation, which was 20 gpd. There were questions on the calculation for the breakfast area, the breakfast area will seat hotel customers only. The bar will also be for hotel customers only.

Tom Guerino said we have the flow capacity available; I would tend the 4,043 gallons per day and would recommend the Board grant the additional gallonages recommended by the Health Agent. Then 2 years down the road we can see what the actual flow is, and adjust back at that point.

James Potter said this will be a property we will revisit in about three years to see the usage. This follows the guidelines and meets the DEP calculations. Don't see a problem with this request.

Voted Jared MacDonald moved and seconded by Judy Froman to amend and give the additional 4,043 gallonages per day. Vote: 4-0-0

5.a.2. Vincent Michienzi – 85-93 Main Street, Buzzards Bay/0 Main Street/100 Main Street

James Potter said this is four tenants and a micro-brewery and the micro-brewery changed to a tap room. Mr. Potter questioned if the residents have changed. Mr. Michienzi said the bakery switched to Juice place; the rest are the same.

Tom Guerino said we did a recalculation. We originally thought Mr. Michienzi would have to come down 223 gpd., because of the brewery, but that was going to take a separate permit. We didn't include that in what we originally allocated. There doesn't need to be a change to what Mr. Michenzi has on record.

James Potter said we need a 6-month update on the property. Mr. Michenzi said the property is coming along.

Jared MacDonald asked if he has closing timeframes. Mr. Michenzi said Eversource will set the pole next week. Thai is ready to open. The brewery is almost done.

James Potter said we do still have to vote the final allocation.

Mr. Michenzi said regarding 0 Main Street, we will start on that as soon as the Thai restaurant moves over. 100 Main Street, we are moving forward. The front building will be torn down, we will fix the old barn.

James Potter said there was an allocation given by the Board. Mr. Michenzi said once we see how the Hampton does, if it does well, we have a hotel that will come in. We may look at housing for the MMA. We are trying to do a mixed use, we have almost 5 acres. Tom Guerino said it was 27,080 gallons, which was based on the hotel. Mr. Michenzi said if we don't do the hotel, we can do the housing. Mr. Michienzi stated that he would be willing to give back 27,000 gallons of allocation if someone else could use it.

Tom Guerino questioned the former bank. Mr. Michenzi said right now the former bank is being used as a training facility for nurses.

5.b.2 Bob Gendron/Greg Wirsen – Wagner Way / Maritime Holdings for proposed Independent Assisted Living and Memory Care, Buzzards Bay

James Potter said he would like a 6-month update.

Greg Wirsen said we are still waiting for the Board to act and give us preliminary allocation. Mr. Guerino said they wanted 17,715. Greg Wirsen said we were next on the list but we haven't

heard back from the Board. We haven't moved the project forward because we weren't sure if we had allocations yet.

James Potter questioned if we voted to allocate the number you need will you be able to move forward. Greg Wirsen said we need to get allocation, then we would go into the planning phases. We have been waiting since 2015. There isn't much to talk about without allocation. I believe if you voted allocation Mr. Gendron would move forward.

James Potter said part of the policy is it gets you in the que, you could start planning and move forward, and if you don't the Board could take the allocation back.

Mr. Guerino questioned how short on allocation they were. Greg Wirsen said they were short 7,000-9,000 gallons. James Potter said we could accommodate that amount. Tom Guerino said the Board didn't vote any allocation before, so the Board would have to vote the total amount. Jared MacDonald said we are in agreement that we do have the available allocation.

Tom Guerino questioned Mr. Wirsen if this gets voted and Mr. Gendron's Board of Directors voted they are still about 18 months out. Mr. Wirsen said that seems correct.

Voted Jared MacDonald moved and seconded by Judy Froman to give the proposed allocation of 17,750 gpd for the proposed project on Wagner way for Maritime Holdings, LLC and GenCon Corporate, as a preliminary allocation.

Greg Wirsen questioned the difference between preliminary allocation and actual allocation. Tom Guerino said the policy states once you get a building permit then you will know what your actual flow will be, this is an estimated flow based on the schematics of what you're going to build. Once you get your building permit you will get an actual allocation.

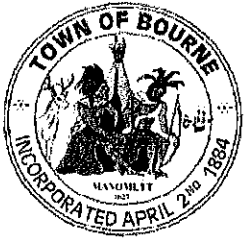
James Potter said we know we have the capacity, and you have your applications on file; we ask that you to present to the Planning Board for preliminary review. They will review it, when they do that review you come back to us and we will vote the actual gallonages. We did vote to set that aside for a proposed allocation. Tom Guerino said the 17,750 is now a preliminary reserved allocation.

Vote: 4-0-0

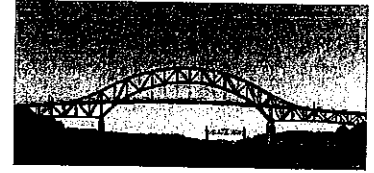
6) Adjourn

Voted Jared MacDonald moved and seconded by Judy Froman to adjourn at 9:14 P.M.
Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Sewer Commissioners Meeting Notice



Date
July 30, 2019

Time
6:30 P.M.

Location
Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

6:30 P.M. Call Public Session to Order in Open Session

1. Consent Agenda

A. Approval of meeting minutes: 6.18.2019

2. Sewer Allocation

B. Oak Bay Brewery, 140 Main Street, Buzzards Bay

3. Joint-Base/regional Wastewater Study --- Wright Pierce Engineering

C. Joint Base Cape Cod Regional Study

4. Hideaway Village Agreement

D. Hideaway Village Condominium Association agreement with the Town of Bourne

5. Savary Avenue

E. Update on the Savary Avenue wastewater system progress

6. Sewer Consultant Proposal

F. Tighe & Bond Sewer Consulting Proposal

7. Wareham/Regional Wastewater Study

G. Update on Wareham Regional Agreement

8. Public Comment

9. Adjourn

Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

Peter Meier

George Slade

2019 JUL 26 PM 3:38
TOWN OF BOURNE
RECEIVED

**Sewer Commissioners Meeting
Minutes of Tuesday, July 30, 2019
Bourne Community Building
Bourne, MA 02532**

RECEIVED

2019 OCT 21 PM 2:35

2019 OCT 21 PM 2:35

TA Guerino
ATA Glenn Cannon

Sewer Commissioners

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

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order at 6:30 pm.

1) Consent Agenda

a. Approval of meeting minutes: 6-18-2019

Voted Judy Froman moved and seconded by Jared MacDonald to approve the minutes from June 18, 2019. Vote 4-0-0.

2) Sewer Allocation

b. Oak Bay Brewery, 140 Main Street, Buzzards Bay

Applicant name – Brian Poulin; 23 Rooks Run Plymouth, MA; Owner – Keith Galizio; location of project – 140 Main Street Buzzards Bay; Description of proposed project – Craft Brewer and Taproom for on premise production of alcoholic beverages and sale at wholesale and retail for on or off premises consumption. Packaged snacks will be available and third-party vendor food trucks will be invited to serve customers as permitted.

James Potter said this is progressing.

3) Joint-Base/regional Wastewater Study – Wright Pierce Engineering

c. Joint-Base Cape Cod Regional Study

Tom Guerino went over the Joint-Base regional Wastewater Study. Glenn Cannon briefly went over the study. The town of Barnstable has come in with the four towns. It is still a planning study.

Tom Guerino said they haven't heard back from Stop & Shop. The Joint Bases are being urged by the Department of Defense to divest anything that can be taken over by a private entity or public entity to be less susceptible to any future base closing operations.

Judy Froman said at the Counselors meeting there seems to be enthusiasm to have wastewater treatment on the Cape, they are tying the quality of water to the economy. It is critical to have nitrogen taken out of the wastewater and make sure we are treating it. There is a general sense that we are stronger as a collective group for regional effort to address the need of the Cape Cod community.

Glenn Cannon said there is approximately 1.4 million gpd capacity on Joint Base Cape Cod.

Tom Guerino said Falmouth is interested. A lot of work still needs to be done.

James Potter said long term we are also looking at the other side of the bridge. This is an ongoing process

4) Hideaway Village Agreement

d. Hideaway Village Condominium Association agreement with the Town of Bourne

James Potter said he had trouble finding the meeting minutes. This agreement expires next year, we have time to look at it. We should review the agreement, also want to review the meeting minutes.

Tom Guerino gave a brief background on the agreement between the Town of Bourne and Hideaway Village Condominium Association. It is coming up for renewal, we have not had any problems from what has been submitted. George Sala and George Tribou looked at it.

Mary Andrews, Board of Directors of Hideaway Village, said there are 268 units in Hideaway, our sewer system is critical to Buttermilk Bay. Our budget process occurs in September/October for the following year. This money has been invaluable to us. We would appreciate another 5-year agreement.

James Potter questioned what was the replacement before 2013? Mrs. Andrews said before 2013 there was not a lot of replacement, just maintenance within the scope of our budget. It is important to us and to Buttermilk Bay to maintain it properly.

Judy Froman questioned if the Sewer Department inspects it. Tom Guerino said we don't inspect it because it is on private property.

Chad Rossie, Project Manager, said we have reached out to a local sewer contractor who has helped us bring it up to standard. The grinder pumps have been upgraded, we have

gone from a 1 ½" injector line to a 3", we have gone to a grinder pump. We went from a diesel generator to a gas generator; we have monitoring systems for the pump stations. There are some grinder pumps that still need to be upgraded. The control panels have been updated.

Tom Guerino questioned what is in the Capital Plan in addition to the monies that the town and hideaway are in agreement with, to match or augment that?

Chad Rossie said the preventive maintenance is budgeted yearly, but the repairs would come out of the Reserve Fund. We have only upgraded 2 stations to the 3". We still have 7 stations/14 pumps that need to be upgraded. We will start replacing the first two we did within the next year/two years. The money this year went to a new generator. Trying to figure out how to get money for a smaller generator, it is the last generator that needs to be replaces, and want to do the pump stations at the same time.

Mary Jane Mastrangelo spoke about the 2 sets of minutes that are important regarding this; the December 2015 and July 2014 minutes.

James Potter said the Board members can review the agreement and the minutes July 8, 2014, Dec 1, 2015. Judy Froman requested the July and December minutes. Tom Guerino will get the minutes to the Board members.

5) Savary Avenue

e. Update on Savary Avenue wastewater system progress

Tom Guerino said the Board of Health heard the proposal last week, Zach Basinski and Glenn Cannon attended the meeting. The Board of Health has required whatever Conservation Commission action needs to be taken needs to be done before they act on this. Zack Basinski sent over an RDA that I signed that will go to the Conservation Commission for that purpose. They had questions relative to some of the legal documents. They recommend the working group get back together to go over those. They tentatively placed this on their August 21st agenda. We are at a threshold where we will have to rebid the pumping of the tank at Savary, we are going to put that out to bid.

Judy Froman said she is disappointed that this has dragged on for a year, why didn't Conservation Commission review it earlier.

Tom Guerino said the Conservation Agent was able to do this administratively, but the Board of Health requested it go through the review process that Conservation needed to take prior to it coming back to the Board.

James Potter said he doesn't understand the road block. Glenn Cannon said he hasn't seen the written comments from the Board of Health, we need to get the comments. Don't know what the specific concerns were.

Tom Guerino said we need to put the working group back together to finalize this, it shouldn't have taken a year to put in a septic system.

6) Sewer Consultant Proposal
f. Tighe & Bond Sewer Consulting Proposal

James Potter said it was mentioned at the last meeting to get a proposal from Tighe and Bond for sewer consulting. Wanted the Board to review the proposal. The proposal covers the impact fee how it impacts the system, to add new users, reclaiming funding for the investments, capacity allocation, the assessment for what we are using, rate structure analysis, how the rate is impacted in the future with growth.

Michael Schrader, Tighe & Bond, said the benefit is that we look at a 10-year window ahead so you can do some planning and understand impacts. It is a fairly small system that has some big decisions, and how you look at it now is important because you can't go back and redo it.

James Potter said some of this will capture the new plant and the cost of operating the plant.

Jared MacDonald said this solidifies things going forward. This should make thing go smoother by giving us a professional view of what is coming and where we are at.

James Potter said the sewer here is growing, there has to be more discussion on how it pays for itself, what is the right rate, what is fair, what is going to keep it stable. The other discussion is what if it goes town wide, it is not an enterprise, is it a town system, the consulting will help clarify this for the Board.

Judy Froman said it is excellent to have in place formulas based on the industry standards. Michael Schrader said it supports transparent data driven decision making.

Tom Guerino said this will build on what has been done. This is money well spent. James Potter said it will digitize our data, which will help with seeing the future.

Michael Schrader said he encourages people to put in a fully represented capital plan, with contingencies and understand the impacts and to be able to evaluate that. Every year we check in.

Tom Guerino said the consultancy and the Board of Sewer Commissioners has to be vigilant about the fact that there is only a limited number of users. A little bit of money in additional to the budget is impacting on the rate. Michael Schrader said you can look at the per user cost.

George Slade said this an insularly element to our economic development plan that should be incorporated into it.

Tom Guerino said if the Board goes forward with this, then Mr. Schrader should get in touch with Tim Lydon and Mike Litzel.

Judy Froman questioned have you worked with towns that have incentives for different types of entities in town for positive uses of minimizing sewer usage. Michael Schrader said on the water side there is more incentives for installing low flow fixtures. There are programs for getting rebates for high efficiency usage.

Judy Froman questioned where the money is coming from. Tom Guerino said there is sufficient money in the sewer budget for other contracted services.

Voted Jared MacDonald moved and seconded by Judy Froman to accept the contract as stated with the fee schedule that is set and as it is written, not to exceed \$30,520.

Vote: 4-0-0

7) Wareham/Regional Wastewater Study

g. Update on Wareham Regional Agreement

James Potter said he attended the last regional wastewater meeting, held in Wareham on July 18th. They had Foxborough, Mansfield, Norwood. There is a tri-town IMA agreement. The plant is in one town, the workers are from the other town. The representative in that area helped spearhead this years ago. They discussed that agreement and how it has benefited the towns and economic development. Present were: Marion, Mass Maritime, Wareham, Mr. Potter and the Buzzards Bay Coalition. 550 is the latest number we gave them for gallonage. There is only a finite amount of water that can be pumped into the system. They are working on who is a customer and who is an owner. They are exploring other existing agreements that are in place now that can be used as a model; the Foxboro model. We are still in the discussion, and waiting to see where it goes. Think the size of the plant is going to be reduced in scope.

Jared MacDonald said there has been a reduction in the numbers. This is ongoing and we will have to update at our next meeting.

Tom Guerino said from the meeting they stressed don't overestimate what you will need because you will be paying that portion of it.

James Potter said you can only pump so much water, unless Buzzards Bay Coalition tells us differently.

Tom Guerino said it is based on Title V numbers. Jared MacDonald said we base our gallonage on the DEP Title V, but it isn't set in stone. We as Sewer Commissioners have the ability to set our own gallonages of allotment. This will help us in the future to be able to set our own allotments and be more realistic in our numbers.

James Potter said the consultant work will help us figure out what is a manageable number to capture back.

Judy Froman said whatever we talk about in terms of our gallonages we should tie it together with our goals of intergrading residential sewer.

8) Public Comment

James Potter spoke about the newspaper article regarding if there is a conflict for himself taking part in the TA search. He said he plans to take part in that and there is no conflict and the disclosure is on file at the Town Clerk's office. Mr. Potter spoke about it being raised by a Board member. Mr. Potter said that member should have come to himself if they have any questions regarding himself. He has experience with the search process. Moving forward with the Board I intend to work with the entire Board. Information should go through the Chair, and not speculation; we have to find a way to funnel through the chair. If there is an issue it should be raised at a public meeting, so we can address the issue.

Tom Guerino said he believes this Board could be well served by an outside facilitator; I think you need a retreat. It can help with how to work as a Board.

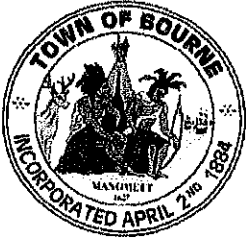
Judy Froman said we should follow channels of communications, we have agenda, we can ask questions and address them at meetings.

George Slade said we can address questions at a public meeting as long as it is done ethically.

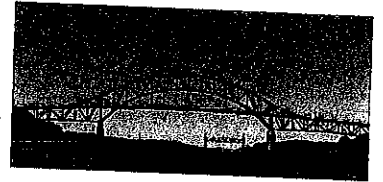
9) Adjourn

Voted Jared MacDonald moved and seconded by Judy Froman to adjourn at 8:02 P.M.
Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Sewer Commissioners Meeting Notice



Date
August 28, 2019

Time
6:00 P.M.

Location
Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

6:00 P.M. Call Public Session to Order in Open Session

Executive Session: The Chair has declared that an open meeting could have a detrimental effect of the negotiating position of the public body, as it relates to consider the value of real property.

Roll call Vote to convene in Executive Session for the purposes stated.
The Board of Sewer Commissioners will reconvene in open session, at the conclusion of the Executive Session, and will report out any actions and call for any votes necessary as a result.

6:30 P.M. (Approx.) Call Public Session to Order in Open Session

Consent Agenda

A. Approval of meeting minutes: July 30, 2019

Sewer Business

1. Savary Avenue
 - B. Update on the Savary Avenue with Bob Troy and Zac Basinski
2. Sewer Use Charges
 - C. Review and vote Design Review & Construction Fee for Darling Hotels
3. Sewer Units
 - D. Review and discuss possible units to be charged to Hampton Inn
4. Annual and Water Sewer Rates
 - E. Set Annual and Water Overage Rates for FY2020
5. Agreement with Wareham
 - F. Discuss and review Agreement with Wareham

TOWN CLERK BOURNE

2019 AUG 26 PM 3:52

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6. Wastewater Facility Update

G. Update on new Wastewater package plant facility

7. Adjourn

Board of Sewer Commissioners

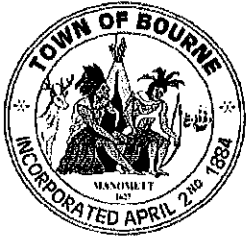
James Potter, Chairman

Jared MacDonald, Vice Chairman

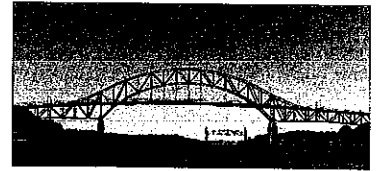
Judith Froman, Clerk

Peter Meier

George Slade



Board of Sewer Commissioners Meeting Notice



AMENDED

Date
August 28, 2019

Time
6:00 P.M.

Location
Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

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Sewer Commissioners Meeting

6:00 P.M. Call Public Session to Order in Open Session

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6:30 P.M. (Approx.) Call Public Session to Order in Open Session

Consent Agenda

- A. Approval of meeting minutes: July 30, 2019

Sewer Business

1. Savary Avenue

- B. Update on the Savary Avenue with Bob Troy and Zac Basinski

2. Sewer Use Charges

- C. Review and vote Sewer Use Charge Assessment Formula

3. Annual and Water Sewer Rates

- D. Set Annual and Water Overage Rates for FY2020

4. Agreement with Wareham

- E. Discuss and review Agreement with Wareham

RECORDED
2019 AUG 27 PM 3:48
TOWN OF BOURNE

Board of Sewer Commissioners
Executive Session Minutes of Tuesday, August 28, 2019
Bourne Community Center
239 Main Street
Bourne, MA

Selectmen

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

Town Administrator Tom Guerino
Assistant Town Administrator Glenn Cannon
Consultant – Zac Basinski

RECEIVED
2020 MAR 10 PM 3:24
TOWN CLERK BOURNE

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

Meeting Called to Order

Chairman Potter convened the meeting in open session at 6:05 pm.

A motion was made by Judy Froman and seconded by Peter Meier and voted 5-0-0 to enter into Executive Session to discuss an interest in town property (Savary Avenue).

The motion was voted: Slade – Yes, MacDonald -Yes, Potter – Yes, Froman –Yes Meier - Yes

Executive Session Minutes

Mr. Potter summaries the Savary Avenue Project.

Attorney Troy discuss the Savary Avenue project and states that he will not attend the September 11, 2019 Board of Health meeting.

Mr. Basinski reviews the cost of the system. Mr. Basinski stated that the project costs is over \$40,000 per home and that the project is no longer cost effective for the homeowners. Mr. Basinski states that eleven (11) homeowners are included in the Savary Avenue design and that some homeowners could be installing private septic system and thus coming off the community Septic System.

Mr. Troy states that the betterment assessment can be an apportion of the cost of the septic system, 25%, 50%, whatever amount the Board of Sewer Commissioners decide.

Mr. Troy states that people can be charged the betterment even though they put in their own private septic systems.

A general discussion relative to Special Counsel ensued.

Attorney Troy stated:

- Betterment assessment can be a portion of the septic system, i.e., 25%, 50%, whatever amount the Board of Sewer Commissioners set.
- Maximize the government benefit
- People can be charged the betterment even though they put in their own septic system

Jared MacDonald said it was the responsibility of the Board to update the system.

There was a discussion on Special Counsel

Adjourn

A motion was made by Jared MacDonald, seconded by Judy Froman and voted 5-0-0 to adjourn the Executive Session.

MacDonald – YES - Slade – YES - Potter – YES - Froman – YES – Meier -Yes

Respectfully submitted – Glenn Cannon, Assistant Town Administrator.

Board of Sewer Commissioners
Executive Session Minutes of Tuesday, September 3, 2019
Bourne Community Center
239 Main Street
Bourne, MA

.....

Selectmen

Jim Potter, Chairman
Jared MacDonald, Vice Chair (Arrived at 5:36 PM)
Judy Froman, Clerk
Peter Meier
George Slade

Town Administrator Tom Guerino
Assistant Town Administrator Glenn Cannon

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2020 MAR 10 PM 3:25
TOWN CLERK BOURNE

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

Meeting Called to Order

Chairman Potter convened the meeting in open session at 5:35 pm.

A motion was made by Judy Froman and seconded by Peter Meier to enter into Executive Session to discuss an interest in town property (Savary Avenue).

The motion was voted: Slade – Yes, MacDonald -Yes, Potter – Yes, Froman –Yes- Meier - Yes
Executive Session Minutes

Tom Guerino discusses the five (5) cost options for the Savary Avenue. Ms. Froman asks how the \$285,000 was calculated. The existing sewer users would borrow and pay back the \$285,000.

Mr. MacDonald is concerned with charging more than the Barnstable County interest rate. Mr. MacDonald would recommend a three (3) percent interest rate. Mr. MacDonald recommends the \$325,000 at three (3) percent interest rate for a total of \$27,224.14.

Mr. Meier wants to go with the \$285,000 cost at zero (0) percent interest rate for a total cost of \$19,000.

Mr. Potter wants to eliminate some options. Mr. Meier wants to eliminate the \$106,000 and Mr. MacDonald wants to eliminate the \$400,000 option.

A motion was made by Peter Meier and seconded Jared MacDonald for discussion to go with the \$285,000 cost at zero (0) percent interest rate.

**Sewer Commissioners Meeting
Minutes of Wednesday, August 28, 2019
Bourne Community Building
Bourne, MA 02532**

TA Guerino

Sewer Commissioners

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

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2019 DEC - 6 AM 11:46
TOWN CLERK BOURNE

Others Present: Bob Troy, Tim Lydon, Mike Leitzel, Joe Sullivan - Daedalus Projects, Inc.;
Michael Schrader - Tighe & Bond

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise and Beth Treffeisen Cape Cod Times.

6:00 P.M. Call Public Session to Order in Open Session

Executive Session: The Chair has declared that an open meeting could have a detrimental effect of the negotiating position of the public body, as it relates to consider the value of real property.

Roll call vote to convene in Executive Session for the purposes stated. The Board of Sewer Commissioners will reconvene in open session at the conclusion of the Executive Session and will report out any actions and call for any votes necessary as a result.

6:30 P.M. (Aprox.) Call Public Session to order in Open Session

Meeting Called to Order

Chm. Potter called the meeting to order at 7:05 pm.

Consent Agenda

A. Approval of meeting minutes: July 30, 2019

Voted: Judy Froman moved and seconded by Jared MacDonald to approve the minutes from July 30, 2019. Vote: 4-0-1. Peter Meier abstained.

Voted: Peter Meier moved and seconded by Judy Froman to move Agenda item 5 Wastewater Facility Update to the next item on the agenda. Vote: 5-0.

5) Wastewater Facility Update**G. Update on new Wastewater package plant facility**

Joe Sullivan, Daedalus Projects, Inc. updated the Sewer Commissioners on the Wastewater Facility. There has been a lot of activity over the last month. The file subcontractor bids came in lower than anticipated. The project came in under our estimated budget by about \$900,000. We had a meeting regarding awarding notice of intent.

With the bid savings I went through the budget to make sure that we had solidified all the numbers associated with any other line items we had through the budget. We asked for services from Weston & Sampson for the onsite representation that they had discussed. We are going through the contract to make sure it covers everything without any added expenses for any type of CA services moving forward.

The timelines are about 15 months of construction; 12 months of the building construction, but there is 3 months of operation internal that is required. Typically the buyout of equipment has to happen, and that will determine the size of the building. We size the building for the design for the largest equipment available, based on the three alternative bidders for equipment. Once they buy out that equipment that will determine the actual footprint, then the foundation and building can be constructed. Any money left at this point I set up a line item on the budget under contingency as bid savings, we will track that contingency as we move forward.

James Potter said when we approved both projects, it was thought they were going to be more simultaneous. On this project the start construction and fence off; will that impact the police station facility?

Mr. Sullivan said no; because the starting date has changed it will give the opportunity for a majority of the work for the police station to be completed. The turnover of the police station will probably be the first of February, so most of the exterior, and landscaping will be completed. We already have the force main that will be put in place up to the bypass. The pump station and the force main up to that location will be married at that point, then we will be putting the waste facility there. The internal tank is already in place, it's just a matter of putting equipment in at that point. The location of where the wastewater plant will be is off the parking lot area. We have made provision for equipment, we are going to hold off on mowing that area so that building can be constructed, the lawn can be applied after.

Sewer Business**1) Savary Avenue****B. Update on Savary Avenue with Bob Troy and Zac Basinski**

Bob Troy updated the Sewer Commissioners on Savary Ave. Atty. Troy said Mr. Basinski reported to him and said as far as he is concerned, with the exception of a few questions regarding financial matters from one of the members of the Board of Health, the application in his judgement is ready to go. It should be approved by the Board of Health. We anticipate

the Board of Health will provide this Board with the opportunity that this Board is entitled to under the law to have a fair impartial hearing on the merits of the application, unencumbered by any strings, unencumbered by any conditions, unencumbered by any compromise.

Mr. Troy said his take is that this is a public health emergency. The Board of Sewer Commissioners stepped up to the plate to address this. It only involves, at this point, 11 homes.

There are three players that are needed to work corporately to solve this problem. One is the Board of Sewer Commissioners; and they have demonstrated that they want to solve the problem, they just want to find the correct solution and is asking for help from other boards to get this project completed. The second is the Board of Health, which is a subdivision of the Town of Bourne. It is a separately elected board but it is governed by the Charter. The Charter states that this Board is the board which has executive central authority over all town board over all town employees. The third player is the property owners. They need to be part of the solution. We need in addition to their corporation in undertaking what is decided by the Board; they need to tell the Board their concerns. They need to continue to be part of the process.

The town boards need to work cooperatively, and they are all guided by the same principal, which is to serve the public interest. We don't have the need for litigation, we don't need to argue. We need to end the hazards associated with the septic failure at this particular site.

Article 66 was the creation of the Buzzards Bay septic system, article 68 was the creation of the Savary Ave septic system, and they have both served the town well.

My job is to tell the town, all boards of the town, what the law is. We don't have any reason to have confidentiality and to not share with each other what is the law and what the common sense approach to solving the problem is.

The only question is about the Army Corps of Engineers. I answered that in detail in a letter to the Chair of the Board of Health on February 5th. That particular question was regarding whether the Army Corps of Engineers would provide a 50 year term, which is what the Sewer Commissioners wanted at that time. The idea was to get an extension of 50 years then we can do something that can solve this problem for a considerable period of time.

On Feb 5th I wrote, if the town is able to procure a 50-year term for the easement the Commonwealth will allow the town to remediate the problems. On February 14th the Army Corps gave the town the 50 years. In my opinion, from that point on the Board of Health interfered with the jurisdictional authority of the Sewer Commissioners and set a maximum life for 15 years, which materially changed both the financial condition of the project and the project itself.

It is my opinion, which I gave the Board of Health on February 5, 2019, the Sewer Commissioners have the authority under Chapter 83 Section 1 to provide the plan to

remediate the septic problems. The Board of Health has jurisdiction, but it is a different jurisdiction, and is required to say the environmental design of the system meets Title V.

It is now in the hands of the Board of Health to consider the application that has been filed by the Sewer Commissioners. It is my recommendation the Board of Health give a fair hearing to this body, the Board of Sewer Commissioners that it would give to any other applicant.

The Board of Health has shown expertise and is able to process applications weekly. This is only an application for a shared system for 11 properties. Why would the Board of Health need help all of a sudden; what is it about this particular application that is difficult.

My recommendation is the Sewer Commissioners determine what the best solution is for the property owners and for the town. Given the fact that it is the Sewer Commissioners responsibility to maintain the systems for sewerage throughout the town. The Board of Sewer Commissioners and the Board of Health need to act corporately, and in the public interest to get this done. I suggest the way to get it done is for the Board of Health to proceed and hold the hearing and give the Board of Sewer Commissioners a fair hearing.

I prepared a chronology, beginning in December 2018, of everything that has happened with respect to advancing this project, which includes the actions and meetings with dates and times. Mr. Troy shared it with the Board of Sewer Commissioners. He also handed the Board members a submission with only one question, and the question was answered in a detailed document on February 5th.

I stand by my opinion, all of us need to work together cooperatively to solve a problem to fix the issue relating to septics for 15 houses. Would like to work with the Sewer Commissioners, the Board of Health and the property owners to try to get this done.

Zac Basinski, Bracken Engineering, said they met with Board of Health last week. They had some technical questions, which they are addressing. One of the biggest items is the covenant that needs to be executed by all the homeowners. There is a 30-day time period that the homeowners need to execute this covenant once the Board of Health gives its approval. We need to bring the homeowners in and explaining what the covenant is. The technical questions we can answer at the next Board of Health meeting.

James Potter wanted to clarify the covenant is a template that the homeowners need to fill in their individual information.

Zac Basinski said it is a template that comes out of Title V. There is property information on it and it breaks down the betterments, the use of the system, what is required of the homeowners, what is required of the town being part of a shared system.

James Potter confirmed the subordination information is also included in the packet that they have to fill out. Zac Basinski said it is a requirement the homeowners have to do. Zac

Basinski said it needs to be executed within a 30-day timeframe once approved by the Board of Health.

Judy Froman confirmed if it does get approved the information will be given to all the homeowners regarding the covenant and that anyone who accepts that, they are committing to being part of the shared system.

Jared MacDonald questioned if we are going to get a letter of commitment from each of the homeowners? Tom Guerino questioned if the Board of Health sends that to the homeowners or is it through our office? Zac Basinski said that should come from the Sewer Commissioners. Tom Guerino confirmed that they will send out the letters to the homeowners.

Glenn Cannon suggested the Sewer Commissioners send a letter inviting the homeowners to the meeting explaining that information.

Zac Basinski said the next Board of Health meeting is on September 11, 2019. The Board of Health has to confirm that date. The information has to be in on the Wednesday prior to the meeting. Glenn Cannon said we want to make sure we have the approval from the Board of Health before we send out the covenant.

Judy Froman questioned are we going to have our meeting with the homeowners before the Board of Health meeting? Jim Potter said he would like to so we can give the anticipated betterment costs to the homeowners.

Jim Mulvey questioned what questions does the Board of Health have that they need special counsel guidance before acting on this issue? Jim Potter said he doesn't know.

Mary Jane Mastrangelo questioned the Army Corps of Engineers easement, because Atty. Troy said that in February he sent a memo that stated a 50 year Army Corps of Engineers easement should satisfy the recommendation. My recollection is there was a Board of Sewer Commissioners meeting in which it was stated that the Board of Sewer Commissioners or the Board of Selectmen was not going to accept the extension of that lease agreement because of some terms. If the 50-year easement would be sufficient then we are not extending the Army Corps lease, so we only have 16 years left in the lease. The Board of Health said they need a year to remediate the property back before the end of the termination of the lease, which would be 15 years. I think that is why they are saying 15 years. At the Board of Health meeting last week one question was the perpetuity question.

James Potter said we are clear on the terms of the lease with the Army Corps of Engineers. Jim Mulvey questioned how often and what it costs to pump out that system? James Potter said the Sewer Enterprise Fund is paying. It gets pumped out about 3 times a week, which costs about \$1800.

2) Sewer Use Charges

C. Review and vote Sewer Use Charge Assessment Formula

Tom Guerino briefly went over the Sewer Enterprise Fund Analysis. The bottom in the yellow boxes, the first is the number that has been adopted at Town Meeting, if you added no retained earnings that would raise the fee to \$925, and if you use 25,000 the fee would be \$902. The current rate is \$826, the rate would increase \$50 a year to \$879.

Sewer Enterprise Fund Analysis

	2013	2014	2015	2016	2017	2018	2019	2020	2020 in R/E	2020 in R/E	2020	2020
Expenses:									\$50,000 in R/E	\$4,00 in R/E	\$25,000 in R/E	
Salaries	\$159,255	\$163,438	\$170,180	\$177,302	\$173,538	\$160,614	\$170,024	\$187,843	\$187,843	\$187,843	\$187,843	\$187,843
Purchase of Services	\$30,137	\$26,913	\$22,903	\$28,025	\$76,163	\$38,728	\$145,624	\$103,850	\$103,850	\$103,850	\$103,850	\$103,850
Supplies	\$10,713	\$14,132	\$11,508	\$13,207	\$12,602	\$13,018	\$12,661	\$19,825	\$19,825	\$19,825	\$19,825	\$19,825
Other Charges & Exps	\$100	\$130	\$100	\$130	\$100	\$100	\$280	\$375	\$375	\$375	\$375	\$375
Capital Outlay	\$12,184	\$37,270	\$19,536	\$38,429	\$10,927	\$47,060	\$60,808	\$170,000	\$170,000	\$170,000	\$170,000	\$170,000
Transfer to General Fund												
Debt Service	\$82,670	\$52,788	\$14,506	\$3,070	\$19,563	\$45,522	\$43,500	\$24,000	\$24,000	\$24,000	\$24,000	\$24,000
Reserve Fund	\$0							\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Waterham Operating Charge	\$17,896	\$15,327	\$23,125	\$39,961	\$20,000	\$50,000	\$43,912	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Waterham Capital Charge	\$188,478	\$188,478	\$188,478	\$188,478	\$188,478	\$188,478	\$188,478	\$188,478	\$188,478	\$188,478	\$188,478	\$188,478
Indirect Expense	\$121,879	\$122,527	\$126,029	\$131,983	\$128,705	\$124,404	\$128,607	\$134,709	\$134,709	\$134,709	\$134,709	\$134,709
Total Expenses	\$782,240	\$820,603	\$825,945	\$976,285	\$859,176	\$987,824	\$933,794	\$7,169,080	\$7,169,080	\$7,169,080	\$7,169,080	\$7,169,080
Revenues:												
MWPA Transfer	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sewer Betterment	\$43,378	\$37,744	\$32,266	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Retention Payoffs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Retained Earnings	\$30,000	\$150,000	\$100,000	\$50,000	\$75,000	\$75,000	\$100,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Miscellaneous Dept Revenue & Interest	\$26,731	\$36,711	\$36,504	\$2,280	\$35,568	\$35,000	\$28,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
GF Reserve Fund Transfer	\$985,280	\$950,384	\$856,657	\$1,011,454	\$968,066	\$986,279	\$1,024,754	\$1,300,000	\$1,300,000	\$1,300,000	\$1,300,000	\$1,300,000
Sewer User Fees	\$985,280	\$1,114,839	\$1,025,427	\$1,063,714	\$1,078,624	\$1,106,279	\$1,149,754	\$2,150,000	\$2,150,000	\$2,150,000	\$2,150,000	\$2,150,000
Est. Overage fees												
Sub-total	\$985,280	\$1,114,839	\$1,025,427	\$1,063,714	\$1,078,624	\$1,106,279	\$1,149,754	\$2,150,000	\$2,150,000	\$2,150,000	\$2,150,000	\$2,150,000
Per User	\$992	\$993	\$992	\$1,045,305	\$1,045,305	\$1,045,305	\$1,045,305	\$1,045,305	\$1,045,305	\$1,045,305	\$1,045,305	\$1,045,305
Change	\$734	\$734	\$734	\$749	\$752	\$776	\$926	\$879	\$925	\$902	\$902	\$902

Sewer estimated revenues are a combination of Interest Income, Miscellaneous receipts for hook-ups, filing fees, demand fees, etc., and the major portion of the sewer revenues come from Sewer Overages and Sewer User Annual Fees. Estimates for FY2020 are \$35,000,000 from Miscellaneous revenues, Sewer Overage Fees \$130,000, \$924,079,000 for Annual User Fees and \$50,000,000 Retained Earnings voted at the May 2019 ATW Article 4 Budget. The Annual Per-Unit Sewer Charge increases this year by \$53,00 per user to \$879,00.

8/28/2019

Peter Meier said the longer we subsidize the more they will depend on it, and it will be harder when we take it away. Maybe better off to ween them off sooner than later. Tom Guerino said the Board voted to put \$50,000 towards it this year, and Town Meeting

agreed. The idea was to step down. We are stepping down, next year the Board will have to decide if they want to do \$25,000 or 0. The idea was to step down because it is using too much retained earnings overtime.

Jim Potter questioned the Wareham operating charge, it looks less on this spreadsheet than what the charge will actually be. Mr. Potter also questioned if there is a way to track new growth. Tom Guerino said we expect the overage charges will come up some. We have increased the overages by about \$20,000 this year. We have been rolling that back, because the overages have been coming in less as people are putting in water saving devices in. The hotel in coming on, we don't know what that is going to be yet, we also have the new restaurant coming on so there will be some additional overages, so we did increase the overage fees in anticipation of those. Mr. Guerino said Debbie Judge has worked hard on this.

James Potter suggested to add a line item for new growth.

Tom Guerino asked the Board of Sewer Commissioners to establish the rate; there are two rates to set this evening. To establish the rate of \$879 for the current year. We will try to get the bills out by the first week in September.

Voted: Peter Meier moved and seconded by Judy Froman to approve the sewer rate for the upcoming year at \$879. Vote: 5-0-0.

3) Annual and Water Sewer Rates

D. Set Annual and Water Overages Rates for FY 2020

Tom Guerino said we are recommending this year the water overage rate remain the same at \$.01 per gallon over 45,000 gallons.

Voted: Peter Meier moved and seconded by Judy Froman that the water overage rate stay the same for this year at \$.01 per gallon over 45,000. Vote: 5-0-0

4) Agreement with Wareham

E. Discuss and review Agreement with Wareham

Tom Guerino spoke about the agreement with Wareham,



TOWN OF WAREHAM
54 Marion Road
Wareham, Massachusetts 02571

Derek D. Sullivan
Town Administrator
(508) 291-3100, ext. 3110
(508) 291-3124 Fax

dsullivan@wareham.ma.us

June 11, 2019

Thomas M. Guerino, Town Administrator
Bourne Town Hall
24 Perry Avenue, Room 101
Buzzards Bay, MA 02532

Dear Administrator Guerino:

This letter is to serve as a memorialization of settlement between the Town of Wareham and the Town of Bourne.

Whereas, section 12.1 of the IMA the Wareham Town Administrator is charged with enforcement and administration of the contract;

Whereas, a multi fiscal year dispute has arisen between Bourne and Wareham regarding the IMA billing and both communities have hired outside contractors that have further divided said dispute;

Whereas, both communities wish to mitigate the costs associated with performing and hiring outside contractors to perform a multiyear audit of the IMA billings;

Whereas, both parties wish to continue the beneficial relationship and wish to have a mutually agreeable resolution.

Now, therefore, in consideration of mutual promises, the parties agree as follows:

1. The Town of Wareham shall consider the 213,000 received in FY19 to be credited as an in-full payment for FY 2019, completely satisfies FY19 billing by the Town of Wareham. The 3rd Quarter FY17 remaining balance of \$31,800.07 is hereby waived.
2. The Town of Wareham shall not perform the Fiscal Year 2019 end of year, also known as the 5th quarter, true up and shall not assess or credit Bourne any additional monies for FY19.
3. Bourne shall now and until the end of time waive any claims of overbilling and Wareham, outside of this agreement, shall have no obligation to credit Bourne for Fiscal Year 2019 or any other prior fiscal year.
4. After the signing of this agreement both parties per section 3.1 of the IMA, shall set a date to meet for the five-year review.

5. Until there is an agreed upon resolution to the question of proper billing the Town of Wareham shall beginning in FY2020 (outside of the \$188,477.53 debt payments for the plant upgrade) bill Bourne \$400,000. Subsequent bills shall be increased by 2.5% until the agreed upon resolution.
6. The above agreement shall have no effect on the required annual septage credit due to the Town of Bourne annually. The current rate for septage credit shall remain in effect during the recognition of the IMA between the two communities.

Regards,

Derek Sullivan
Town Administrator

CC:

Wareham Board of Selectmen
Wareham Sewer Commissioners
John Foster, Wareham Finance Director
Guy Campinha, WPCF Director

We have been working hard to get this through. We have gone through this for the past several months. Derick Sullivan, the Town Administrator in Wareham, and I started looking at a forensic audit of the Wareham billing and the cost and how they were being apportioned pursuant to the IMA formulas. We originally found \$91,000 in charges that were questionable as it related to the IMA. We spent the money for the audit, Wareham went to their consultant and had they look at our audit and they found much less. We sent that back to Mr. Sullivan with our auditing firm. We figured we could spend more money on a forensic audit, make things very difficult between the two communities or we can try to work this out. We have agreed to, because we don't have confidence in how the numbers are being put into the system, and a renegotiation being required with IMA.

We received a bill for FY19 at \$192,000 a quarter. The last two quarters we paid were \$106,500 for each quarter. We came to the understanding that the costs are going up, we are going to be sending more flow. This plant isn't going to be build right away, so we agreed to a \$400,000 fixed fee.

It is allowing the Board of Sewer Commissioners and the Board of Selectmen to engage with the Wareham Board of Sewer Commissioners to renegotiate the terms of the next IMA.

In their billing they thought we were short \$30,000 in FY2017 that has been abated. We continue to pay the flat fee of our capital costs \$188,477, that doesn't vary from year to year. We added the septic credit, it will come back to the town.

We think this is the best solution for both communities, it doesn't increase the rate for the tax payers very much, it provides time for the two boards to get together to work on the new IMA, it is a number that we can predict every year.

We have been holding \$291,000 in encumbered money. What this will do, we will release back to the retained earnings of the sewer fund \$191,000, we are going to hold \$100,000 in encumbrance, it is protection for the rate payers, if nothing comes of it within a year that money will be transferred back to retained earnings. The last two quarters of FY19 are forgiven. We think this is a good solution, we are signing off and he is signing off on this.

The FY18 retained earnings as it was approved by the Department of Revenue was about \$438,000. At the bottom - retained earnings - we added another \$191,000 back into retained earnings it would bring the total back up to about \$629,500.

Because the way the charter is written the Board does not have to approve this, I hope the Board does endorse this.

James Potter said moving forward we have to take a more active role as Sewer Commissioners, this Board has to talk to the Sewer Commissioners in Wareham. Also moving forward, we have to keep an eye on the billing, and that is a topic that needs to be addressed.

Jared MacDonald said this gives us a starting place. With us not having the background and the knowledge we have to trust our staff that these numbers are correct. I would be onboard with agreeing and endorsing this tonight.

James Potter said it stabilizes the payment plan.

George Slade said we still have an issue with the metric of what we believe we are generating as flow and what we are being charged.

Tom Guerino said the flow variable is a piece, then the pump station work, the number of employees working on those. That is where we didn't have concurrence. The idea was to give the town of Bourne and the town of Wareham some stability.

Judy Froman said it provides us an opportunity to study what is going on with our consultants and also looking at the rates/flow. It is a step in the right direction

Tom Guerino said if the formula that was developed is used appropriately, it will work. It is what gets put in the formula that makes it work or not work, and that is not on our end.

Voted: Peter Meier moved and seconded by Judy Froman to accept this agreement.

Vote: 5-0-0

James Potter reported out on what/if any votes were taken in Executive Session. No votes were taken in Executive Session and there were no actions.

Tim Lydon went over the Sewer Use Charge Assessment Formula.

- The design review and construction inspection fees are \$1,500.
- Commercial sewer permit fee is \$150 + \$.10 per sq. ft of building space.
- Sewer connection fee, is annual sewer use fee times the number of business units.
- Residential sewer permit fee \$100 per residential property plus \$100 per unit.
- Sewer system development charge is \$73.40 per foot of frontage plus \$11,539.36 per acre.

In 1990 with the betterments there was a formula for the same style of impacts. It was about \$5,700 per acre and \$36 per foot of frontage. In 2006 it about doubled. It has been that way since 2006. There was a different style of commercial sewer impacts at that time.

Jared MacDonald requested the formula be sent to the Sewer Commissioners.

Tom Guerino said you also want to look at meter size. We don't do a differential on meter size, so you may want to look at meter size and do a differential on that.

Peter Meier questioned if we tie in with Wareham and the Academy wants to tie in, are they considered a new user?

Tom Guerino said they would be considered a new user, and whatever happens regionally that will have no impact on how the Board of Sewer Commissioners determine the rates they charge here and the fees they charge here will be completely separate. They have no control on how you set your own internal policies and guides. For MMA depending on how many students they are going to have at the old Dolphin that is going to be a huge change so they will have to come in before the Sewer Commissioners. Mr. Guerino said he will send the estimated cost relative to the new hotel.

6) Adjourn

Voted: Peter Meier moved and seconded by Judy Froman to adjourn at 8:25 P.M.
Vote: 5-0.

Respectfully submitted – Carole Ellis, secretary.

5. Wastewater Facility Update

F. Update on new Wastewater package plant facility

6. Adjourn

Board of Sewer Commissioners

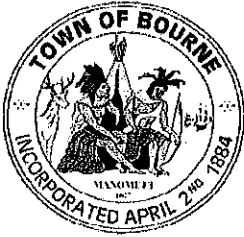
James Potter, Chairman

Jared MacDonald, Vice Chairman

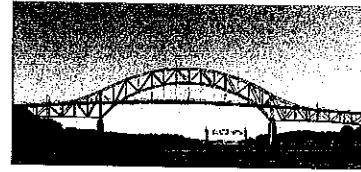
Judith Froman, Clerk

Peter Meier

George Slade



Board of Sewer Commissioners Meeting Notice



Emergency Meeting

Date

September 3, 2019

Time

5:30 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Sewer Commissioners Meeting

5:30 P.M. Call Public Session to Order in Open Session

Executive Session: The Chair has declared that an open meeting could have a detrimental effect of the negotiating position of the public body, as it relates to consider the value of real property.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Sewer Commissioners will reconvene in open session, at the conclusion of the Executive Session, for the purpose of reporting any actions and call for any votes necessary as a result.

Signed,

James Potter

Chairman, Bourne Board of Sewer Commissioners

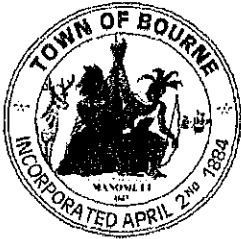
Sewer Commissioners

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

TOWN CLERK

2019 AUG 30 PM 3:15

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Board of Sewer Commissioners Meeting Notice



Date

September 3, 2019

Time

5:30 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Sewer Commissioners Meeting

5:30 P.M. Call Public Session to Order in Open Session

Executive Session: The Chair has declared that an open meeting could have a detrimental effect of the negotiating position of the public body, as it relates to consider the value of real property.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Sewer Commissioners will reconvene in open session, at the conclusion of the Executive Session, for the purpose of reporting any actions and call for any votes necessary as a result.

Signed,

James Potter

Chairman, Bourne Board of Sewer Commissioners

Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice-Chairman

Judy Froman, Clerk

Peter Meier

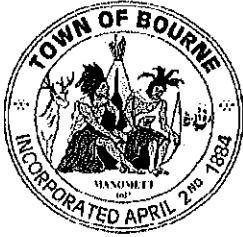
George Slade

Cancelled 8/30/19

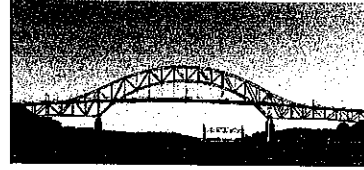
TOWN CLERK BOURNE

2019 AUG 29 PM 3:11

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Board of Sewer Commissioners Meeting Notice



Date

September 3, 2019

Time

5:30 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Sewer Commissioners Meeting

5:30 P.M. Call Public Session to Order in Open Session

Executive Session: The Chair has declared that an open meeting could have a detrimental effect of the negotiating position of the public body, as it relates to consider the value of real property.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Sewer Commissioners will reconvene in open session, at the conclusion of the Executive Session, for the purpose of reporting any actions and call for any votes necessary as a result.

Signed,

James Potter

Chairman, Bourne Board of Sewer Commissioners

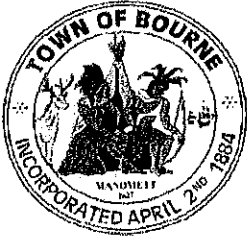
Sewer Commissioners

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

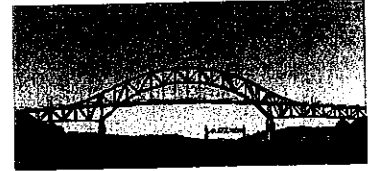
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2019 AUG 29 PM 3:11

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Board of Sewer Commissioners Meeting Notice



Date
Tuesday, September 17, 2019

Time
6:00 P.M.

Location
Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

6:00 P.M. Call Public Session to Order in Open Session

Executive Session: The Chair has declared that an open meeting could have a detrimental effect of the negotiating position of the public body, as it relates to consider the value of real property.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Sewer Commissioners will reconvene in open session, at the conclusion of the Executive Session, for the purpose of reporting any actions and call for any votes necessary as a result.

7:00 P.M. (Approx.) Call Public Session to Order in Open Session

Sewer Business

1. Savary Avenue

A. Update on the Savary Avenue project with Town Staff and the project team

2. Adjourn

Signed,
James Potter
Chairman, Bourne Board of Sewer Commissioners

Board of Sewer Commissioners
James Potter, Chairman
Jared MacDonald, Vice Chairman
Judith Froman, Clerk
Peter Meier
George Slade

SEP 19 09:12:21
TOWN OF BOURNE

BOARD OF SEWER COMMISSIONERS
Executive Session Minutes of Tuesday, September 17, 2019
Bourne Veterans' Memorial Community Center
239 Main Street
Bourne, MA

Selectmen

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

Town Administrator Tom Guerino
Assistant Town Administrator Glenn Cannon
Town Counsel Robert S. Troy

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

Meeting Called to Order

Chairman Potter convened the meeting in open session at 6:02 pm.

A motion was made by Judy Froman and seconded by Jared MacDonald to enter into Executive Session to consider the value of real property.

The motion was voted: Slade – Yes, MacDonald – Yes, Potter – Yes, Froman – Yes, Meier – Yes (5-0-0)

Chairman Potter gave a good summary of where the project stands today.

- 39 Bedrooms+ – original design
- \$48,000 cost per house for 8 houses

Attorney Troy summarized the outreach to the community and the input from the community

Group discussion relative to the Savary Avenue Septic System.

1. Board of Health Application
1. Deadline or pumping – 4 months 02.06.2020
2. Contacting the Homeowners

The Board agreed to the following items:

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2020 MAR 10 PM 3:25
TOWN CLERK BOURNE

**Sewer Commissioners Meeting
Minutes of Tuesday, September 17, 2019
Bourne Community Building
Bourne, MA 02532**

2019 OCT 21 PM 2:35

Glenn Cannon

Sewer Commissioners

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

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time –Beth Treffeisen Cape Cod Times.

6:00 P.M. Call Public Session to Order in Open Session

Executive Session: The Chair has declared that an open meeting could have a detrimental effect of the negotiating position of the public body, as it relates to consider the value of real property.

Roll call vote to convene in Executive Session for the purposes stated. The Board of Sewer Commissioners will reconvene in open session at the conclusion of the Executive Session, for the purpose of reporting any actions and call for any votes necessary as a result.

7:00 P.M. (Aprox.) Call Public Session to order in Open Session

Meeting Called to Order

Chm. Potter called the meeting to order at 7:12 pm.

Sewer Business

1) Savary Avenue

a. Update on Savary Avenue project with Town Staff and project team

During Executive session we were discussing the value of real property, Savary Avenue, which we planned on continuing the discussion during open session.

We received some late correspondence, today, that a few of the homeowners that live on Savary Ave are thinking of installing private systems. With the new information, based on the value of the system, the Board is going to take more time to analyze the project and we will plan on another Sewer Commissioner meeting shortly. We will be inviting the residents from Savary Ave to that meeting.

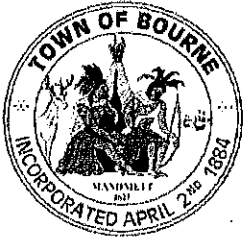
Glenn Cannon said we will continue to work with the Board of Health. We will reach out to the residents with certified letters to invite them to the next Sewer Commissioners meeting.

James Potter said no votes were taken during the Executive Session, just new information that the Board will examine.

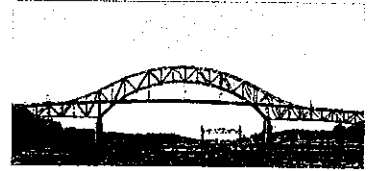
2) Adjourn

Voted Jared MacDonald moved and seconded by Peter Meier to adjourn at 7:17 P.M.
Vote 5-0.

Respectfully submitted – Carole Ellis, secretary.



Board of Selectmen/Board of Sewer Commissioners



Meeting Notice

AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday September 23, 2019	7:00 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street Buzzards Bay

Board of Selectmen/Board of Sewer Commissioners

Monday, September 23, 2019
7:00 PM

Bourne Veteran's Memorial Community Building
239 Main Street, Buzzards Bay, MA 02532

Joint Session with Finance Committee for STM Review

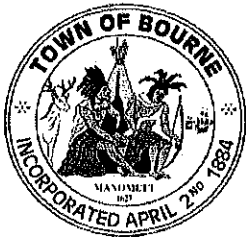
MEETING NOTICE

The Board of Selectmen/Board of Sewer Commissioners will hold a public meeting on Monday, September 23, 2019 at 7:00 PM at the Community Building.

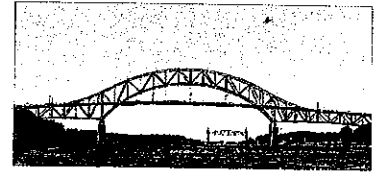
NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or videotaping, they need to acknowledge it at this time.

1. Call Meeting of the Selectmen's/Board of Sewer Commissioners Meeting to Order.
2. Note any excused/absent members.
3. Reserve Fund Transfers
4. Enter into Joint Session with the Finance Committee
5. Review Special Town Meeting Articles
 - PEG access and cable related fund
 - FY20 Budget adjustment
 - Unpaid bills
 - Nuovo Road
 - Bylaw amendment for date of Capital Outlay Report
 - Wareham Agreement and Sewer Budget Adjustment
 - Adjourn

2019 SEP 19 PM 3:16
COMMUNITY CENTER
BUZZARDS BAY, MA



Board of Selectmen/Board of Sewer Commissioners



Meeting Notice

AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday September 30, 2019	7:00 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street Buzzards Bay

Joint Session with Finance Committee for STM Review

MEETING NOTICE

The Board of Selectmen will hold a public meeting on Monday, September 30, 2019 at 7:00 PM at the Community Building.

NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or videotaping, they need to acknowledge it at this time.

1. Call Meeting of the Board of Selectmen to Order.
2. Enter into Joint Session with the Finance Committee
3. Review Special Town Meeting Articles
 - FY20 Budget adjustment
 - FY20 Sewer Budget Adjustment
 - Capital Outlay Requests
 - Community Preservation Committee Requests
 - Electronic Voting
 - Possible Article to use Free Cash to reduce the tax rate
 - Adjourn Joint Session

2019 SEP 26 PM 3:39
TOWN OF BOURNE

Board of Selectmen / Sewer Commissioners

Minutes of Regular Joint Session with Finance Committee

September 30, 2019

Bourne Veterans Community Building

239 Main Street, Buzzards Bay MA 02532

RECORDED
2019 NOV 14 AM 10:55
TOWN SEWER BOURNE

In attendance: Judith Froman, Chair; George Slade, Clerk; Peter Meier;

Not in attendance: James Potter, Vice Chair; Jared MacDonald

Chair Froman called to order at 7:01 p.m.

The following articles to be placed on the Fall Special Town Meeting warrant were reviewed and discussed:

FY20 Budget amendments to fund salaries and expenses related to: Town administrator salary for remaining three quarters is a contractual obligation that may not pass at town meeting. Alternate plan to be devised; further details about economic development position will be provided to finance committee at subsequent meeting, specifically salary range, workplace, etc.

Sewer budget adjustment

Seven Capital Outlay projects to be brought to special town meeting, as well as projects to be deferred, were read by finance committee chair; total is approximately \$891,000

Article about electronic voting;

At 7:56 motion to recess made by Meier, second by Slade, passed 3-0-0; at 8:03 motion to resume made by Meier, seconded by Slade, passed 3-0-0;

The Community Preservation Committee projects that will be brought forward to special town meeting were discussed:

Hen Cove (Cedar Point Association, Inc.) project discussed at length as it is very complex requiring a great deal of prioritizing and planning of the scope, how will town staff be used, etc.

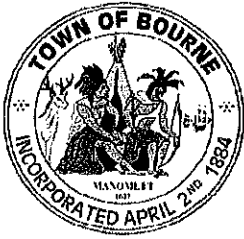
Bourne Conservation - Pocasset park along Shore Road, Barlows Landing Dinghy Docks, Pedestrian Bikeway (Phase 4), Continue website upgrade, Scanning of Conservation Documents, Pocasset Village Association building improvements

CPC had no positive votes for: the town hall accessibility; and the steeple at Cataumet Methodist Church

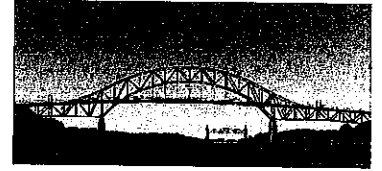
Motion: to adjourn by Meier, seconded by Slade. 9:30 p.m. Unanimous vote 3-0-0.

Respectfully submitted,

George Slade



Bourne Board of Sewer Commissioners Meeting Notice



Date

October 3, 2019

Time

6:30 P.M.

Location

Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

6:30 P.M. Call Public Session to Order in Open Session

Consent Agenda

- A. Approval of meeting minutes: 09/17/2019
- B. Approval of uncommitted sewer capacity as of September 2019
[Commercial Wastewater Allocation Policy: s II. Uncommitted Reserve Capacity]

Sewer Business

- 1. Wareham Intermunicipal Agreement (IMA)
 - C. Set Meeting date/discussion with Wareham Sewer Commissioners
- 2. Savary Avenue
 - D. Savary Ave project discussion/update
- 3. Bourne Scenic Park/Campground
 - E. Discussion about future sewer connection/capacity
- 4. 85-93 Main Street Project
 - F. Discuss Sewer Allocation and updates from Planning Board review
- 5. Joint Base Wastewater Project
 - G. Letter of support – Converge/Town of Barnstable to operate JBCC Wastewater
- 6. Cape Cod & Islands Water Protection Fund Management Board
 - H. Report from Chairman on 9/26/19 meeting

Sewer Policies & Procedures

- 7. Visioning Agenda – Policy
 - I. Discuss Wastewater Allocation policy and procedures (on-going) – new language/ scope of Allocation policy.

TOWN CLERK BOURNE

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Future Agenda Items – October 2019

- J. Tighe & Bond - Sewer Consultant, Rate Study, Growth, and Allocation update
- K. Hideaway Village Agreement
- L. Updating existing Sewer Regulations
- M. Wastewater Facility update

8. Public Comment

9. Adjourn

Signed,

James Potter

Chairman, Bourne Board of Sewer Commissioners



Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

Peter Meier

George Slade

**Sewer Commissioners Meeting
Minutes of Thursday, October 3, 2019
Bourne Community Building
Bourne, MA 02532**

ATA Glenn Cannon

Sewer Commissioners

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

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TOWN CLERK BOURNE

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

6:30 p.m. Call Public Session to Order in Open Session

Meeting Called to Order

Chm. Potter called the meeting to order.

Consent Agenda

- A. Approval of meeting minutes: 9-17-2019
- B. Approval of uncommitted sewer capacity as of September 2019 [Commercial Wastewater Allocation Policy: s II Uncommitted Reserve Capacity]

Voted: Judy Froman moved and seconded by Peter Meier to approve the minutes from September 17, 2019. Vote: 5-0-0.

James Potter said we have some recent approvals, some pending projects that were allocated. According to the spreadsheet, by the Title V it doesn't appear that we have the gallonages, but there are a couple projects that are not under construction or have even started the permit process. Regarding the pending, will look at when the next 6-month review is to get the update. Then we can have those people in to see if they are still pursuing a project. The approvals are projects that are happening. Currently we are using on average 106,000 gpd. With our recent approvals it brings us up to 123,000 gpd, those businesses would operate under our policy for a few years then we would review to see if they are using that allocation entirely, or if we could take some back. We may not be at 123,000 gpd. Per the Title V, the projects that have been given the allocation brings us up to the 200,000 gpd. According to the policy we should vote, but if the Board wants to continue for further information we could.

Judy Froman questioned for the pending approvals; will we be calling them in this Fall. James Potter said Wagner Way and 100 block, don't think either has done anything yet.

Downtown Bourne Sewer System Allocation



Commercial Wastewater Management Allocation Policy (October 2017)

OWNER	LOCATION	CFD	1998 Application Paid Due	Preliminary Allocation Approval Date	Preliminary Allocation Fee	Preliminary Allocation Date Paid	Operational Allocation Approval Date	Operational Allocation Fee	Operational Allocation Date Paid	Comments	6-Month Review Date
Rescue Amalgam											
Current GPD Downtown Usage (excluding Cousins)		106544									
BLENDEN BERRIES	283 Main Street	440	6/18/2018			N/A				No change in use	
Vincent Michienzi	85-93 Main Street	13006	10/24/2016		\$18,000.00	10/24/19					
MATHEWY'S ON MAIN	57 Main Street	3465	3/27/2018			N/A				Existing Use	
Veterinary Clinic	50 Cohasset Avenue	0	5/8/2019	5/9/2019						No specific GPD request	
Total Operational GPD		123449									
Pending Approvals											
GENCON/Robert Gendron	12 Wagner Way	17750	1/9/2018	6/18/2019						Letter to be sent	12/18/2019
HAMPTON INN	12 Kendall Roy Place	15237		9/30/2011		N/A		\$18,333.33			Last review 6/18/2019
CALAMAR	14 Kendall Roy Place	16800		9/19/2017		N/A					Review Needed
Vincent Michienzi	100 BLOCK (24, 22, 32A Cohasset, 0-127 Main)	27680		10/13/2015		N/A					Review Needed
Total Approved GPD		209322									
Pending Applications											
OKS Dry Brewery	140 Main Street	1661	8/23/2019								

Reason for N/A:

- Blendon Berris: No change in use
- Mathewy's On Main: Existing Use
- Veterinary Clinic: Change of use from Bank to Veterinary Clinic
- Hampton Inn: Prior to Allocation Policy
- Calamar: No filed Allocation Application
- Vincent Michienzi: No filed Allocation Application
- [100 Main Block]

Voted: Jared MacDonald moved and seconded by Judy Froman to approve the uncommitted reserve sewer capacity at 0.

Glenn Cannon said he will reach out to the developer of the 100 block to see if he has a more realistic development scenario at this time.

Vote: 5-0-0.

Sewer Business

1) Wareham Intermunicipal Agreement (IMA)

C. Set Meeting date/discussion with Wareham Sewer Commissioners

James Potter said he reached out to the Chair of the Wareham Sewer Commissioners. They offered to meet on a Monday, Tuesday or Wednesday. The idea is to have both full Boards meet.

The Board agreed to meet on Wednesday, October 16th or Monday, November 4th. James Potter will reach out to the Wareham Board to see if either date works for them.

2) Savary Avenue

D. Savary Ave project discussion/update

Residents from Savary Ave that were not present: 23, 25, 27, 33, 35, 50, 46, 42, 40

Residents present from Savary: 21, 31, 39, 52, 38

James Potter said at the last meeting we had received correspondence that some people on Savary Ave were entertaining perc test.

Mr. Potter said after considerable thought to the changing dynamics of the Savary Ave permit process, I would like to suggest to the Board and residents that we also have the ability to change.

Making lemonade out of this situation is all we can do.

We all know the backstory about the previous Savary Ave systems, and we cannot make the same mistakes.

It has been over a year of pumping the failed septic system. Town staff and the Board has spent an inordinate amount of time on this topic, and there are many pressing sewer issues and needs that the Board must address throughout the Town. A look at tonight's agenda as an example.

Recognizing that we may only have 8 homeowners left on the shared system, and taking into account that the Board of Health is adamant that this system be replaced by private systems in 15 years, the implications to the homeowners are untenable. Realizing that the shared costs will be between \$32 and \$35,000 for only 15 years of service, I cannot recommend that we continue the current permit process before the Board of Health. We could have never expected that the pumping costs and permitting would've continued this long, nor that as many homeowners would've pursued their own private systems early. In the end, the goal was always private systems, outside of the remote possibility of a municipal sewer system in the area, 15 years from now. I cannot justify requiring a homeowner to pay to connect to the shared system, for only 15 years of service, whereas they will receive many more years of service from a private system for a similar cost.

I would recommend the following roadmap to Privatizing all Savary Ave systems:

1. That the Board withdraw its application for the community sewer system before the BOH.

Milestones

2. That the Sewer Dept will continue pumping the existing system until Feb 6, 2020, by which time all residents will have private systems installed at their cost. There is time, now, to get this done.
3. Town staff will immediately notify all remaining homeowners that do not yet have a private system that they will be required to install the private system prior to Feb 6,

2020. Staff will provide how the homeowners can apply for funding through the County system should the residents need that information.
4. Homeowners will have 'perc' tests done by **November 2, 2019**, at their cost and provide the Town Staff with an update. Those that are in the process of those tests will also update the Town with the results. Anyone that will need additional assistance with their system, from the 'perc test' such as an easement from the Town, to go under the roadway, will be known at that point. There is nothing to prevent a homeowner from getting the results sooner and informing the Town, and moving on to the permitting stage.
 5. Homeowners must hire a civil engineer and contractor and apply through the Board of Health for a permit as soon as possible. By **Dec 1**, homeowners shall notify the Town where they stand within the permit or installation process. They must have their system installed prior to **Feb 6, 2020**. Design and installation costs can be grouped together in the County borrowing if the homeowner needs it. Again, Town Staff can help guide this process.
 6. Any homeowner that does not intentionally install their system prior to Feb 6, 2020 will not be in compliance with Title 5 or the Board of Health. The Sewer Dept will cease pumping the failed system by Feb 6, and the homeowner's ability to stay in the home will be at the discretion of the Town Health Agent and BOH.

This is the greatest benefit to the Savary Ave residents for their cost. They will not be asked to borrow a betterment today, for a shared system that will only be permitted for 15 years, and then borrow again at their own cost for a private system 15 years from now. The costs to pumping the system from last year until Feb 6, 2020 will be roughly the cost benefit that the Savary Ave residents paid into the Sewer enterprise fund over the last 15 years. This will provide them a few more months of pumping the system, at no cost to them, while they install their own private systems.

The plan to have all privately installed septic systems by Feb 6 is the only logical path to follow. The Sewer Enterprise is not obligated to pursue the shared system or guide the homeowners through private permitting, but I believe this is the right path to follow. This is also an example of a private/public partnership that will lead to the best long-term and reasonable solution for all of the parties involved.

Peter Meier questioned is there a way to take money from retained earnings to help the homeowners pay for the perc test. Mr. Potter said that wouldn't be fair to the residents who already paid for a perc test.

James Potter said we can continue pumping until Feb 6th. If someone runs into an issue with the perc test, let us know about it now so we can help that person with what they need to get their system in the ground. This is the best financial aspect for the homeowners. Pumping until Feb 6th gives them a reasonable amount of time. Maybe we can come to a solution to try and assist the property owners, but wait to the end before we decide to do any reimbursements.

Glenn Cannon said he would like the opportunity to check with Town Counsel about being able to reimburse for the perc test.

James Potter said we would need a motion to have staff withdraw the permit process; and would like to follow the plan of action with the milestones that he created. We have looked at a variety of ways to address this situation and quite a few legalities connected with it. We looked at different possibilities and the cost effectiveness for the homeowners, it is better to have a longer-term system.

Voted: Jared MacDonald moved and seconded by Judy Froman to have the town, via Mr. Cannon withdraw the request before the Board of Health.

Brian Cleary, 38 Savary, said he agrees with what the Board is recommending, with one exception. There are 3 or 4 homes that will need an easement by the town. Not sure those easements will be easy to get.

James Potter said you don't have to replace the system unless you have a failed system. You would require an easement with the town and we could work with you.

Jared MacDonald said we as the Board would like to say that we will help you in the best way possible, we will make staff available to assist in moving this process forward.

Jean Cole, 31 Savary Ave. questioned which houses were not able to put in a septic system. James Potter said that was a speculation from our consultant that we hired. You really need a perc test done and a design to see if it can fit. It's possible that everyone can fit a system. Would rather have the residents pay now for their own system than have them pay a betterment now and still have to pay again in 15 years when the system would need to be replaced.

Trish Lubold, 21 Savary Ave, said she agrees with the Board's decision. We have the advantage of having a double lot, want to make sure I'm not limited, if I want to do an addition. I want to put in a 5-bedroom septic. James Potter said that is with a Board of Health permit, it is up to them.

Ed McGuire, 52 Savary, said the homeowner that abuts me has no way of getting a septic in unless he comes through my yard. I don't know if it is going to give me enough time to get mine in, because he is going to have to put his in before me, because once mine is in it can't be driven over. Jared MacDonald said that is something that we would like to help coordinate. First thing is you have to have a perc test and then the civil engineering part. Scheduling between the two is something that this Board may be able to help with.

Vote: 5-0-0.

Voted Judy Froman moved and seconded by Jared MacDonald to implement the plan of action that the homeowners will have the perc test done by November 2nd, for those that haven't, those that have can still pass on that information to the town to let us

know that the results were fine, or if there is an issue and that they will have hired the civil engineer and applied to the Board of Health for a permit by December 1st. Letting the Town know they are in the permit process. Any homeowner that does not install by February 6th and has had no communication with the Town will be subject to Town Health Agent and Board of Health after Feb 6th the Town will stop pumping the shared system.

Glenn Cannon suggested to have staff compile a certified letter with the minutes from this meeting and send it to the homeowners on Savary Ave.

James Potter asked the residents that were present to reach out to the homeowners the Town was not able to reach out to, to help the Town get their contact information so the Town can reach out to them.

Vote: 5-0-0.

3) Bourne Scenic Park/Campground

E. Discussion about future sewer connection/capacity

Barry Johnson, General Manager of the Bourne Recreation Authority, Introduced John Morrell who is the Park Supervisor and Operations Manager and Bob Corradi our Facilities and Project Manager. Mr. Johnson said they are requesting the Commissioners vote to allow the appropriate Town Engineers to meet with the Authority's Engineers to discuss the feasibility of the park project becoming part and parcel and the future of the new town wastewater project. This request is pursuant to the unanimous vote of our governing board members of the Authority. We present this item to you for consideration as directed by our Board members that we must explore any and all option to try to implement this program.

We provided you in the memorandum an overall description of the project, which we had included in our Mass Works Infrastructure Program Grant. We applied for 7,300,000.00. We should know the results of our application hopefully by the end of this month.

This discussion would be taken between two municipal entities and if it did come to fruition it would be after a lot of discussion and reviewed by the Town's Boards Committees and by the Authority and our management staff.

John Morrell spoke about the park. The park is made up of 439 sites. We have approximately 409 water and electric sites. We also have 5 lodges, 5 cabins and 20 non-electric sites. Our future plans are to make 10 of the non-electric sites to electric sites. We have done a tremendous amount of work at the park. We are open from the end of March to the end of October.

Bob Corradi showed the Commissioners the draft plan of the proposed system throughout the park.

James Potter questioned how many gallons per day you think you will need.

Bob Corradi said the standards are 90 gallons per day per campsite.

Peter Meier questioned the Bonding capacity. Mr. Johnson said the Bonding max is \$3,000,000.

James Potter questioned if you will have to coordinate with the Army Corp. Mr. Johnson said yes. The Authority, right now, is facing some big challenges. This Spring, per the Corps of Engineers, Phase 1 Environmental Study; was to check if there were any contaminants at the Park and at the Rink. We had a boring team come in; we got a report stating there are no contaminants. Our current lease expires on June 23, 2025. The Corps of Engineers hasn't given us a draft of a new lease for an extension of 25 years, up until 2044 to operate the two facilities. We are currently negotiating that with them. The Authority may have to remove or move certain structures in anticipation of the new bridge. We had a team visit the park this summer and they did an environment assessment, and we are waiting for those results. We hope you will support us so we can explore the feasibility.

Jared MacDonald questioned if there if any portion of the park land not Army Corps. Mr. Johnson said yes, we own about 5 acres.

Mr. Potter said we will have our consultant reach out to the Authority's Engineer so they can gather the information

4) 85-93 Main Street Project

F. Discuss Sewer Allocation and update from Planning Board review

Glenn Cannon gave an update on the 85-93 Main Street project. Primarily around 85 Main Street they have a temporary occupancy permit. There was confusion as to how many seats were available at that site. The applicant proposed indoor and out seating. As of today, 85 Main Street is permitted for 78 indoor seats, and they are not permitted for any outdoor seats. The applicant is back in front of the Planning Board on October 10th with a revised plan, that plan increases the number of seats they had originally requested for the entire development. My recommendation would be after the October 10th meeting, if they get approved from the Planning Board, they should come back to this Board for revised allocation gallonage.

James Potter said he thinks we are also supposed to receive a letter back from the Planning Board as part of our allocation policy.

5) Joint Base Wastewater Project

G. Letter of support – Converge/Town of Barnstable to operate JBCC Wastewater

James Potter said there is a private company, Converge, which partnering with the town of Barnstable to operate Joint Base Wastewater.

Glenn Cannon said the four upper Cape towns, Bourne, Sandwich, Mashpee, and Falmouth all got into a partnership to look at their existing wastewater systems, and if there were

any benefits the four towns could gain having cooperation to utilize their existing system. The Base generates a very low number compared to the capacity they have. The four towns entered into negotiations, but the negotiations were stalling out. The Town of Barnstable stepped in as a player; they came in very aggressive. They had staff do an assessment of the existing system. This private company Converge, partnered with Barnstable. We got an email from Joint Base Cape Cod stating that Converge along with the Town of Barnstable put in an application to Joint Base Cape Cod to take over the wastewater and the water systems. That application is being reviewed. We signed a letter of support to Converge. This is a future consideration for the Town of Bourne, we wanted to make sure the partnership was open to us in the future. Have had conversations with the Town of Barnstable and the Town Manager Mark Ellis, he has assured that those consideration will stay open for us. Also had conversations with Matt Kennedy, the Managing Director of Converge, he stated those future consideration are open to us.

Judy Froman said there is concern about where the outfall pipe would be, not sure if they have any flexibility with that. The concern is how many outfall pipes are going to be going towards the canal, even if it is treated water, what is the velocity, and does it dissipate. Glenn Cannon said that is not a proposal at this point, but I did let them know our concerns. We want to continue to monitor this and to continue to attend the meetings.

James Potter said we are the host community for both the Wareham/Mass Maritime and Joint Base Cape Cod outfall. We need a seat at the table when talking about everyone's outfall pipes coming to Bourne.

Glenn Cannon said the next step for this Board is to look at the comprehensive wastewater management plan for the entire town.

Judy Froman said we have the Wastewater Advisory Committee; we can redirect that group to help us do this research. Peter Meier said we will have to rewrite their charge.

Sewer Policies & Procedures

7) Visioning Agenda - Policy

I. Discuss Wastewater Allocation policy and procedures (on-going) – new language/scope of allocation policy

James Potter said we are not going to discuss a third reading.

Glenn Cannon said we did have a meeting this week, primarily about 85 Main Street, and implementing the policy as written. Staff had a few disagreements on how the policy should be implemented. We'd like to have a chance to review it and maybe come back to the Board with some recommendations.

6) Cape Cod & Islands Water Protection Fund Management Board

H. Report from Chairman on 9/26/19 meeting

James Potter said he is the representative for Bourne. They met Thursday, September 26th. This is the Board that is in charge of allocating the 2.75% short term rental tax that is

collected on the Cape towns. Now is a good time for our Board to try to ramp up what we are doing with sewer planning and vision. The only way you can get the money that is being collected on our behalf is to have the comprehensive wastewater management plan approved. We don't have an approved plan; we have a draft from 2007. We need to revise that plan and get it approved. Then we are eligible to submit on projects that would be part of our plan. The bylaw states that you have to be present at 50% of the meetings or you get a letter of admonishment.

Glenn Cannon said MassDEP has to approve the plan.

Future Agenda Items - October 2019

J. Tighe & Bond - Sewer Consultant, Rate Study, Growth, and Allocation update

K. Hideaway Village Agreement

L. Updating existing Sewer Regulations

M. Wastewater Facility update

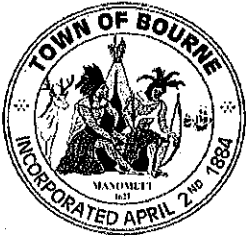
8) Public Comment

None requested

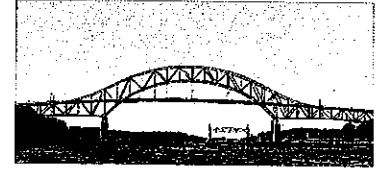
9) Adjourn

Voted Peter Meier moved and seconded by Judy Froman to adjourn.
Vote 5-0-0.

Respectfully submitted - Carole Ellis, secretary.



Board of Selectmen/Board of Sewer Commissioners



Meeting Notice

AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Monday October 7, 2019	7:00 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street Buzzards Bay

Joint Session with Finance Committee for STM Review

MEETING NOTICE

The Board of Selectmen will hold a public meeting on Monday, October 7, 2019 at 7:00 PM at the Community Building.

NOTE: This meeting is being recorded for television replay. If anyone in the audience is audio or videotaping, they need to acknowledge it at this time.

1. Call Meeting of the Finance Committee to Order
2. Note any excused/absent members.
3. Reserve Fund Transfers
4. Enter into Joint Session with the Finance Committee
5. Review Special Town Meeting Articles
 - Article 15 and Article 16 – ISWM Land Purchases
 - Article 11 – Zoning – Stormwater Management
 - Article 12 – Local comprehensive Plan
 - Article 17 – Mass. Community Septic Program
 - Possible Article for Purchase of County Owned Land
6. Additional Information, Discussion and Possible Vote on previously discussed articles
 - Article FY20 Budget adjustment
 - Article 4 – Unpaid Bills
 - Article 8 - FY20 Sewer Budget Adjustment
 - All other Special Town Meeting Articles
 - Adjourn Joint Session
7. Approval of Previous Minutes
8. Updates from Committee Representatives Future Meetings – Topics and Schedule
9. Other Comments: Public, TA, Finance Director, Finance Committee
10. Adjourn joint session

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Board of Selectmen / Sewer Commissioners
Minutes of Regular Joint Session with Finance Committee
October 7, 2019
Bourne Veterans Community Building
239 Main Street, Buzzards Bay MA 02532

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2019 NOV 14 AM 10:55
TOWN CLERK BOURNE

In attendance: Judith Froman, Chair; James Potter, Vice Chair; George Slade, Clerk; Peter Meier;

Not in attendance; Jared MacDonald

Chair Froman called to order at 7 p.m. to enter into joint session. So moved by Potter, second by Meier, 4-0-0; the following articles were reviewed:

Articles 15 and 16- presented by ISWM General Manager Dan Barrett. A follow up to a formal August 12 presentation to Finance, Health, Energy Advisory, ISWM Working Group and Board of Selectmen for conservation and wildlife preservation. Its purpose is to allow purchase of 11 and 6.5 acres respectively for conservation restriction and ISWM purposes.

Article 11 Storm Water Management Zoning – Town Planner Coreen Moore and Planning Board Chair Steve Strojny This will add a new zoning section to address water protection and quality, public health, effects of groundwater recharge, runoff, erosion, etc.

Article 12 LCP proposed by Strojny as LCP committee chair. This seeks approval by town meeting of the draft document that satisfies the Cape Cod Commission requirement of a thorough 10 year review and updated document.

Article 17 – Massachusetts Community Septic Program – is being withdrawn by Sewer Commissioners as the reason for passage no longer exists.

Article 18 – County Road land purchase (85 acres) It allows town to negotiate purchase from Barnstable County. Discussion ensued about ability to negotiate and purchase will be in the town's best interest because of valuable conservation and community-based uses as well as a hedge against escalating costs should a Southside Fire facility be located on this property.

FY20 Budget adjustments – no dollar amount has been identified for other sources of money, should any of the adjustments not pass at town meeting. Turn backs, or a transfer at the end of the year, and other strategies will be discussed at a future Select Board meeting.

Economic Development salaries and expenses will be discussed at a future Select Board meeting.

Article 4 – no additional unpaid bills were discussed

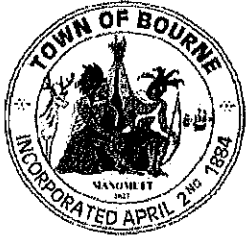
Article 8 – FY20 Sewer budget adjustment Per Finance Director Erica Fleming, \$100,000 has been encumbered and no additional money foreseen at this time.

No other STM articles discussed

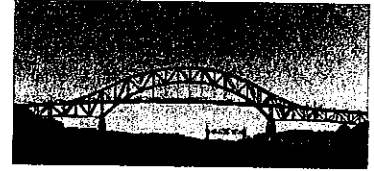
Motion: to adjourn by Meier, seconded by Potter, at 8:13 p.m. Unanimous vote 4-0-0.

Respectfully submitted,

George Slade



Bourne Board of Sewer Commissioners Meeting Notice



Date

November 4, 2019

Time

7:00 P.M.

Location

Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

7:00 P.M. Call Public Session to Order in Open Session

Consent Agenda

- A. Approval of meeting minutes: 8.28.2019; 10.03.2019

Sewer Business

Wareham Intermunicipal Agreement (IMA)

- B. Welcome Wareham Sewer Commissioners
 - i. Joint Discussion - preliminary negotiations to Inter-municipal Agreement (IMA)
 - ii. Joint Discussion - capital funding for Wareham Plant upgrades

2. Savary Avenue

- C. Savary Ave septic projects progress update, per milestone's as outlined in 10.03.2019 minutes

3. Wastewater Package Plant Facility

- D. Facility progress update

4. Tighe & Bond - Sewer Consultants update

- E. Discuss Sewer Allocation, Growth, and Rate Study to present

5. Hideaway Village Agreement

- F. Discussion about Hideaway Village Agreement

Sewer Visioning Agenda

6. Comprehensive Wastewater Management Plan – CWMP - updating

- G. Preliminary discussion about Planning & framework

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TOWN CLERK BOURNE

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New Business

7. Any new sewer business (not foreseen 48 hours ahead of this meeting)
8. Public Comment

Future Agenda Items [Tracking] — late 2019- early 2020

- Bourne Scenic Park/Campground Sewer
 - Wastewater Allocation Policy 6- Month updates (if project not completed):
 - i. 12 Kendall Rae Place Hampton Inn Project 6 month review – Dec 18, 2019
 - ii. 85-93 Main Street Project 6 month review – Dec 18, 2019
 - iii. 105 Main Street/24/32 Cohasset Ave Project 6 month review – Dec 18, 2019
 - iv. Wagner Way/Maritime Holdings Project 6 month review – Dec 18, 2019
 - v. 13 Kendall Rae Place Calamar Project 6 month review – Dec 18, 2019
 - Updating existing Sewer Regulations & Policies
 - Tighe & Bond - Sewer Consultant, Rate Study, Growth, and Allocation update
 - Wastewater Allocation Policy and Procedures – 3rd Reading
 - Comprehensive Wastewater Management Plan Update & South-side Sewer Expansion
 - Sewer Rate setting/vote – Feb 2020
9. Adjourn

Signed,

James Potter

Chairman, Bourne Board of Sewer Commissioners

Bourne Board of Sewer Commissioners

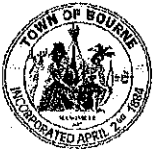
James Potter, Chairman

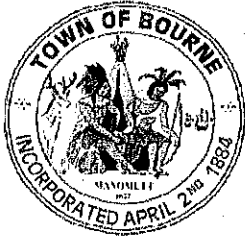
Jared MacDonald, Vice Chairman

Judith Froman, Clerk

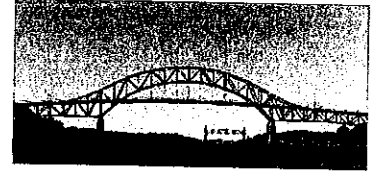
Peter Meier

George Slade





Bourne Board of Sewer Commissioners Meeting Notice



Date

November 25, 2019

Time

7:00 P.M.

Location

Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

All agenda items herein may be subject to a vote by, or other action of, the Board of Sewer Commissioners

Note this meeting is being recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such to the Chairman.

Sewer Commissioners Meeting

7:00 P.M. Call Public Session to Order in Open Session

Consent Agenda

- A. Approval of meeting minutes: No minutes to be approved

Sewer Business

B. Wastewater Allocation Policy 6- Month updates (if project not completed):

1. 12 Kendall Rae Place Hampton Inn Project 6 month review
2. 85-93 Main Street Project 6 month review
3. 105 Main Street/24/32 Cohasset Ave Project 6 month review
4. Wagner Way/Maritime Holdings Project 6 month review
5. 13 Kendall Rae Place Calamar Project 6 month review

C. Savery Avenue

1. Savary Avenue septic projects progress update, per Nov. 2nd and upcoming Dec 1st milestones

D. Bourne-Wareham IMA

1. Subcommittee joint meeting with Wareham report/update

E. Wareham Regional Plant Project

1. Report/update on Wareham Regional Plant discussion

F. Joint Base Cape Cod Regional Plant Project

1. Report/update on Joint Base Cape Cod Regional Plant discussion

Sewer Visioning Agenda

G. Comprehensive Wastewater Management Plan – Comprehensive Wastewater Management Plan - updating

1. Update on Comprehensive Wastewater Management Plan grant eligibility funding with Cape Cod Commission

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2019 NOV 21 PM 4:11
TOWN CLERK BOURNE

**Sewer Commissioners Meeting
Minutes of Wednesday, November 25, 2019
Bourne Community Building
Bourne, MA 02532**

TA Tony Schiavi
ATA Glenn Cannon

Sewer Commissioners

James Potter, Chairman
Jared MacDonald, Vice-Chairman - not present
Judy Froman, Clerk
Peter Meier
George Slade

2020 JAN 17 AM 10:10
TOWN CLERK BOURNE

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All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time - Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order at 7:00 PM.

Consent Agenda

A. Approval of meeting minutes: No minutes to be approved

Sewer Business

B. Wastewater Allocation Policy 6-month updates (if project not completed):

1. 12 Kendall Rae Place Hampton Inn Project 6-month review
2. 85-93 Main Street Project 6-month review
3. 105 Main Street/24/32 Cohasset Ave Project 6-month review
4. Wagner Way/Maritime Holdings Project 6-month review
5. 13 Kendall Rae Place Calamar Project 6-month review

1. 12 Kendall Rae Place Hampton Inn Project 6-month review

Timothy Lydon, Bourne Engineering Department, gave an update regarding the Hampton Inn Project

- Almost complete
- They are tied in
- We have done the pressure test
- They paid their fee
- They got a 90-day temporary occupancy.
- A few outstanding issues, code related.
- A few inspections, electrical related.

They are meeting with the Health Department tomorrow

4. Wagner Way/Maritime Holdings Project 6-month review

Timothy Lydon, Bourne Engineering Department, gave an update regarding the Wagner Way Project

Timothy Lydon spoke about the email sent to him from Robert Gendron regarding 12 Wagner Way Sewer Allocations:

Dear Board of Sewer Commissioners,

First of all, Maritime Holding would like to thank the Board for the allocation of 17,750 gallons per day for our proposed Senior Care Facility at Wagner Way, Buzzards Bay, MA 02532. As you are aware, we have been awaiting this allocation for over 2 years and appreciate the Board's persistence in oversight of the new policies and subsequent availability/development of the new plant.

We have submitted our fee last week and have started substantial work in reengagement of potential operators. At our first check-in 6 months from now, we hope to inform you of the progress and substantial plans now that allocation is in place.

2. 85-93 Main Street Project 6-month review

Zach Brzezinski, Bracken Engineering gave an update on this project.

- Project received site plan review
- 2 tenants have temporary occupancy permits, 3rd one is looking to apply for occupancy permit (Krua Thai)
- Krua Thai will be moving into 91 Main Street
- 93 is still a restaurant

3. 105 Main Street/24/32 Cohasset Ave Project 6-month review

Tim Lydon spoke regarding this project.

- Got 27,000 gpd back in 2016
- Spoke to different developers
- Looking at a housing project in the back with mixed retail

James Potter said we could consider taking back the allocation until a time that you need it, and then reallocate. We have projects coming forward that need allocation. The fee for reserving the 27,000 gallons has not been paid since it was allocated in 2015.

Mr. Vincent Michienzi said he will not market the property unless he has the sewer allocation. Would like the Board to give him 6 more months to hold onto the sewer before the Board decides to take some of the allocation back.

Tim Lydon suggested having an agreement with the Michienzi's to just take a small amount of allocation that Mr. Michienzi could part with and have him first on the queue when allocation becomes available.

Tony Schiavi said there is an application pending that needs a small amount of gallonages about 1,000 gpd. Suggested as we get the smaller application requests we can meet with Mr. Michienzi and take small amounts from his gallonages while he continues to market his projects.

Voted Peter Meier moved and seconded by Judy Froman to grant the request of Mr. Michienzi for an additional 6 months of his present allocation, provided he agreed to give up 1,000 gpd, and any other modification to his allocation. We will meet on a case-by-case basis. Vote 4-0-0.

5. 13 Kendall Rae Place Calamar Project 6-month review

Brent Knockwoods, Calamar, gave an update on this project

- 120 units
- 16,800 gallons assessed to them
- Site is across from the hotel
- All utilities are installed
- Sub-surface stormwater infiltration basins put in
- Sewer laterals are in
- Water mains are in
- We may be extending our water main
- Site contractor bringing up our first-floor elevations to 1.7' higher than the flood plain elevations.
- Put a check request in for \$21,800 for the preliminary allocations to their accounting department.

C. Savary Avenue

1. Savary Avenue septic projects progress update, per Nov. 2nd and upcoming Dec 1st milestones

Glenn Cannon said we have had 3 properties capped, so they have come off the system

- Everyone has had a perc test done
- 5 have had permit issued
- Still have 5 that have not put in plans
- Couple of the properties on the south side of Savary Ave had a tougher perc test, not in permit yet.
- Everyone has passed and can put a system on their property
- No variances have been needed so far

James Potter said Monday or Tuesday we can start to make phone calls to the property owners and find how the progress is going. Tony Schiavi said we can remind them of the timeframe that it has to be done by.

D. Bourne-Wareham IMA**1. Subcommittee joint meeting with Wareham report/update**

- Formed the subcommittee, James Potter and Jared MacDonald.
- Wareham formed their subcommittee, James Giberti, and Donna Bronk.
- We exchanged some information Moving forward we are going to post the meetings.
- At the end of the discussion regarding the IMA we will have to meet with the Wareham Board of Selectmen because the decision cannot be made by the Wareham Sewer Commissioners.
- Someone from their Board of Selectmen should be part of the subcommittee group
- There is a division in the administration, some of the billing is generated at the plant some of the fixed cost is generated at Town Hall.
- They said they went to town meeting to get 2.5 million dollars for their retention basin they are going to build, we will be part of that project. According to the IMA they are supposed to notify us if they take on a Capital Project with Bourne.
- This is an I&I project; they are looking to capture gallons back for the system, hoping we can become part of that recapture, if we are going to be asked to pay for it: They think, for 30 years 200,000 to Bourne is fair.
- We need to understand the Operational Formula
- Should discuss the operating agreement, user regulations

E. Wareham Regional Plant Project**1. Report/update on Wareham Regional Plant discussion**

James Potter said he spoke with Coreen Peterson, she said they have been working on their plans. Should have a draft by February. The concept will be a regional government structure; three partners: Marion, Wareham, & Bourne; and two customers: MMA and South Plymouth – still deciding. We can only use as much wastewater as Buzzards Bay Water District can pump, 560,000 is the max.

F. Joint Base Cape Cod Regional Plant Project**1. Report/update on Joint Base Cape Cod Regional Plant discussion**

Tony Schiavi spoke about the Joint Base Cape Cod Regional Plant Project.

- The plan is moving forward
- Converge and the Town of Barnstable submitted a joint proposal for the wastewater treatment plant
- All the towns have expressed interest
- Department of air force is reviewing the proposal (evaluating if it is in the best interest of the air force to have a town take over the operation of the wastewater treatment plant as it serves the air force.)
- Joint Base Cape Cod plan is to put the discharge toward the upper end of the canal part of that being a direct ocean outfall on the east end of the canal.
- Have to figure out the cost structure.
- We are required with our 208 Plan to do these to protect our bays and shorelines.

Sewer Visioning Agenda

G. Comprehensive Wastewater Management Plan update

1. Update on Comprehensive Wastewater Management Plan grant eligibility funding with Cape Cod Commission

- Moving forward
- Hope to have a draft Request for Proposal by next week
- We are going to be looking at the MVP grant program through the Cape Cod Commission
- Could be looking at borrowing/funding \$100,000
- An accepted Comprehensive Plan makes us eligible to have access to the 2.75% Wastewater Protection Fund tax that is being collected on our behalf, by the state

New Business

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

I) Public Comment

Future Agenda Items [tracking] – late 2019-early 2020

- Bourne Scenic Park/Campground Sewer
- Updating existing Sewer Regulations & Policies
- Tighe & Bond – Sewer Consultant, Rate Study, Growth, and Allocation update
- Wastewater Allocation Policy and Procedures – 3rd Reading
- Comprehensive Wastewater Management Plan Update & South-side Sewer Expansion
- Sewer Rate setting/vote Feb 2020

J) Adjourn

Voted Peter Meier moved and seconded by George Slade to adjourn meeting at 9:04 PM. Vote 4-0-0.

Respectfully submitted – Carole Ellis, secretary.

New Business

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

I. Public Comment

Future Agenda Items [Tracking] — late 2019- early 2020

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5. Comprehensive Wastewater Management Plan Update & South-side Sewer Expansion
6. Sewer Rate setting/vote – Feb 2020

J. Adjourn

Signed,

James Potter

Chairman, Bourne Board of Sewer Commissioners

Bourne Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

Peter Meier

George Slade

**Sewer Commissioners Meeting
Minutes of Tuesday, December 18, 2019
Bourne Community Building
Bourne, MA 02532**

TA Tony Schiavi
ATA Glenn Cannon

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

2020 FEB -5 AM 9:39
TOWN CLERK BOURNE

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All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order.

1) Consent Agenda

A. Approval of meeting minutes: 11-4-2019, 11-25-2019

Voted: Peter Meier moved and seconded by Judy Froman to approve the minutes from November 4, 2019 as submitted. Vote: 5-0-0.

Voted: Peter Meier moved and seconded by Judy Froman to approve the minutes from November 25, 2019 as submitted. Vote: 5-0-0.

2) Sewer Business

B. Wastewater Allocation Policy

Calamar Project 13 Kendall Rae Place – Preliminary Sewer Allocation Payment

Tony Schiavi said they sorted out their internal issues, find out where the invoice was. Right after the Holiday if we don't receive the check at Town Hall, I'll call them.

C. Development Project in need of Wastewater Allocations

Oak Bay Brewery – The applicant will present the proposed development project for consideration and potential vote for allocation of sewer capacity.

Allocation Requested: 2,256 Gallon per day: Total gallons requested will cover both grey water from brewing operations and title 5 (310 CMR 15,203)

Brian Poulin, South Plymouth, MA, presented to the Sewer Commissioners an overview of the operation. Will be a small nano brewery, no food processed onsite, occupancy goal is 99 people, 74 seats internal.

James Potter questioned the parking, only 9 spots on that lot.

Mr. Poulin said he made an arrangement with the church across the street for additional parking.

Voted: Peter Meier moved and seconded by Judy Froman to approve the allocation of 2,256 gallons per day.

Tony Schiavi said the application fee has been paid, within 30 day of the approval we will need the remainder of the funds for the \$1 per gallon plus \$5,000 total would be \$7,256.

Vote: 5-0-0

D) Commercial Wastewater Allocation Policy review

Staff will give a report relative to the existing Commercial Wastewater Allocation Policy

Tim Lydon & Terri Guarino went over the suggestions for the Policy.

- Policy should have more projects that generate more flow to the sewer system
- Commercial development - definition for residential building is vague as it relates to units not bedrooms or increases in flow; include new residential buildings or residential building which add bedrooms/flow.
- Application process could be modified
- Internal processes could be improved to get timely review of applications, so the Board has all the information they would like to see for the applications in order to make a decision.
- With Planning Board requirements, consulting with the Town Planner for zoning compliance in advance. Have that be part of the application process.
- Regarding the six-month reports due to the commissioners, within the two-year time period of that application; the milestones that are established should be the applicant's responsibility to report to the Board.
- Look at the fee schedule to make sure it is clear to the applicant.

Glenn Cannon suggested that for the timeframe; years every 6 months we should see measurable milestones

James Potter said regarding residential flow; we need to know how much flow is going in; maybe waiver for application fee and usage fee. Look at setting a structure, escalating as your structure grown. Mr. Potter suggested to have a flow chart that covers everything from the start to the finish.

Judy Froman spoke about grandfathering in or not grandfathering in properties that are in place.

Glenn Cannon said we need to have staff review the application and make sure it is complete before it comes before this Board.

Judy Froman would like to know from staff how we would measure the benchmarks/milestones within the two-year period.

James Potter said we want to know what flow is being requested so we can track flow. We can build a GIS of flow as to all the properties that apply. We can start to look at neighborhood's flow and not individual house flow to get total used flow for residential houses.

E) Savary Avenue

Savary Avenue septic project update

Tony Schiavi said after the last meeting sent a letter to each of the home owners directly, from the Spreadsheet of the 13 homes that were affected by the decommissioning of the system, that have not come off the system.

Terri Guarino said there are three individual properties that have not yet applied for septic permit applications, 21, 50, and 52 Savary Avenue. Speaking with the engineering firm designing the systems for 50 and 52 Savary Avenue, there are some site limitation for those two properties. The pump frequency has reduced.

Tony Schiavi said when the owners cap their system, someone from the Sewer Department has to visually watch them cap the line and take photos to document it.

Sewer Visioning Agenda

F) Comprehensive Wastewater Management Plan Request updates

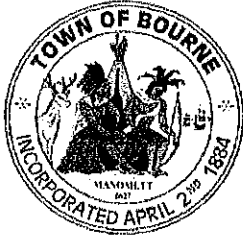
- 1. Update on Comprehensive Wastewater Management Plan grant eligibility funding with Cape Cod Commission**
- 2. Comprehensive Wastewater Management Plan Request For Proposals (RFP) - staff presentation and Board discussion.**

Glenn Cannon said he spoke with Erin Perry, from the Cape Cod Commission, regarding our MVP Grant, she said our Comprehensive Wastewater Management Plan is eligible for that grant. That grant will pay up to 75%.

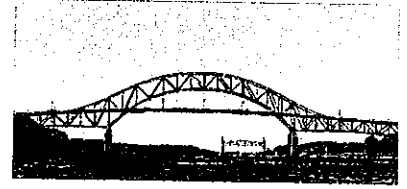
Tony Schiavi said we wrote the draft RFP for the Comprehensive Wastewater Management Plan.

Tim Lydon said this isn't subject to 30B

- Qualifications based and technical proposal separate from the actual bid so we will be getting two proposal from every company.



Board of Selectmen Meeting/Workshop AGENDA



Date

December 17, 2019

Time

6:00 P.M.

Location

Bourne Veterans' Memorial
Community Center
239 Main Street, Buzzards Bay

Note this meeting is being televised and recorded. If anyone in the audience is recording or video-taping, need to acknowledge such at this time.

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

6:00 P.M. Call Public Session to Order in Open Session

Executive Session:

Motion to enter Executive Session to review and take action on the following Executive Session Minutes:

- October 8, 2019 – Acting Town Administrator contract negotiations
- October 16, 2019 – Town Administrator contract negotiations
- October 29, 2019 – Town Administrator contract negotiations
- November 4, 2019 – Town Administrator contract negotiations
- November 5, 2019 – Real Property discussions relative to 4 Henry Drive, Henry Drive Extension, 90 Main Street, Bassett's Island, 34 Diandy Road and Bucky Barlow Boatyard

Motion to enter into Executive Session to conduct strategy in regards to negotiations with respect to a license or easement on:

- Map 35.0 Parcel 143 – 4 Henry Drive Extension,
- Map 35.0 Parcel 144 – Henry Drive,
- Map 35.0 Parcel 145 – 3 Henry Drive;
- Map 23.0 Parcel 4 – 90 Main Street;
- Map 42.0 Parcel 89 – 11 Bassett's Island.

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body with respect to the license and/or easements.

Motion to enter into Executive Session to conduct contract negotiations for Non-Union personnel: Town Counsel, Robert S. Troy.

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

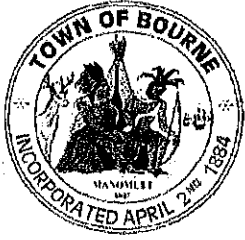
Reconvene in public session

2019 DEC 13 PM 2:58
TOWN OF BOURNE

RECEIVED

7:00 P.M Call Public Session to Order in Open Session

1. Vision: Bourne is a 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, embraces excellent education, and the amenities that it affords and offers to citizens a healthy, active lifestyle.
2. 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.
3. Moment of Silence for our Troops and our public safety personnel
4. Salute to the Flag
5. Public Comment on Non-Agenda Items
6. Approval of Minutes: 5.28.2019
7. Licenses and Appointments:
 - a. Annual Common Victualer, Weekday and Sunday Entertainment, Coin Operated Amusement Device, Taxi and Livery, Auto Dealers Class I, II, III and Junk Yard Licenses
 - b. Carrie and Rob Inc. d/b/a Mr. G Pizza & Ice Cream Transfer of Common Victualer License
 - c. Janice Marks – Cape & Vineyard Electric Cooperative (CVEC) Board
 - d. Diane Carter – Council of Aging
 - e. Andrew Campbell – Shore & Harbor Committee
8. Workshop - Website Working Group Update
 - i. Design/Visual Aspect
 - ii. Consistency of Webpages
 - iii. Navigation/Ease of Use
 - iv. Selectmen Page
 - v. Website Feedback Form
9. Workshop - Strategic Planning Discussion
10. Workshop - FY 21 Budget Goals related to long term financial stability and transparency
11. Town Administrator will request that January 14, 2020 will be a Joint Meeting between the Finance Committee and the Board of Selectmen to discuss and review the FY 21 Town Budget
12. Adjourn



Bourne Board of Sewer Commissioners Meeting Notice



Date
December 18, 2019

Time
7:00 P.M.

Location
Bourne Veterans' Memorial Community Center
239 Main Street, Buzzards Bay MA

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Sewer Commissioners Meeting

7:00 P.M. Call Public Session to Order in Open Session

Consent Agenda

- A. Approval of meeting minutes: 11.04.2019; 11.25.2019

Sewer Business

B. Wastewater Allocation Policy updates:

1. Calamer Project 13 Kendall Rae Place – Preliminary Sewer Allocation Payment

C. Development Project in need of Wastewater Allocation:

1. Oak Bay Brewery – The Applicant will present the proposed development project for consideration and potential vote for allocation of sewer capacity.

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Sewer Visioning Agenda

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1. Update on Comprehensive Wastewater Management Plan grant eligibility funding with Cape Cod Commission
2. Comprehensive Wastewater Management Plan Request For Proposals (RFP) - staff presentation and Board discussion.

New Business

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

H. Public Comment

2019 DEC 16 PM 2:35
TOWN CLERK BOURNE

RECEIVED

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5. Sewer Rate setting/vote – Feb 2020

I. Adjourn

Signed,

James Potter

Chairman, Bourne Board of Sewer Commissioners

Bourne Board of Sewer Commissioners

James Potter, Chairman

Jared MacDonald, Vice Chairman

Judith Froman, Clerk

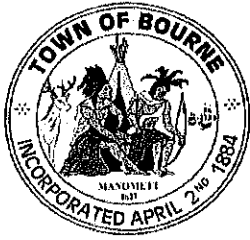
Peter Meier

George Slade

Roll Call Vote to reconvene in public session

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Board of Selectmen Meeting/Workshop AGENDA AMENDED



<u>Date</u>	<u>Time</u>	<u>Location</u>
December 17, 2019	6:00 P.M.	Bourne Veterans' Memorial Community Center 239 Main Street, Buzzards Bay

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Motion to enter into Executive Session to conduct contract negotiations for Non-Union personnel: Town Counsel, Robert S. Troy.

The Chair has declared that an open meeting may have a detrimental effect on the negotiating position of the public body.

Roll call Vote to convene in Executive Session for the purposes stated.

The Board of Selectmen will reconvene in open session at the conclusion of the Executive Session.

2019 DEC 16 PM 12:38
TOWN CLERK BOURNE

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