

MEETING OF THE ORLEANS
BOARD OF WATER/SEWER COMMISSIONERS
AUGUST 16, 2023

ORLEANS TOWN CLERK

'23 OCT 16 1:35PM

The Board of Water and Sewer Commissioners held a hybrid meeting on Wednesday August 16, 2023 to conduct regular business.

Those present were Alan McClennen, Mark Berson, Robert Rich, Richard Hartmann, John Meyer, Len Short and Kevin Mahoney of the Board; Virginia Farber Associate Member of the Board; Todd Bunzick and Susan Brown of the Water Department; Tom Daley, Director of Public Works and Natural Resources; Kevin Galligan of the Select Board and Wastewater Management Advisory Committee; Tim Harrison from AECOM; Lynn Bruneau, liaison from the Finance Committee; and Edwin Mcauliffe from Veolia.

Alan McClennen called the Board of Water/Sewer Commissioners Meeting to order at 1:00 p.m.

REORGANIZATION OF THE BOARD

The annual reorganization of the board started with a reminder that Alan McClennen has held the position of Chair for the past year, while Mark Berson was Vice Chair, and John Meyer held the position of Clerk.

On a motion by Len Short and seconded by John Meyer, the Board voted to elect Robert Rich as Chair. The vote by the board was 7-0-0 with Richard Hartmann, Mark Berson, John Meyer, Len Short, Kevin Mahoney, Robert Rich, and Alan McClennen all voting aye by roll call.

On a motion by Mark Berson and seconded by Richard Hartmann, the Board voted to re-elect Mark Berson as Vice Chair. The vote by the board was 7-0-0 with Richard Hartmann, Mark Berson, John Meyer, Len Short, Kevin Mahoney, Alan McClennen, and Robert Rich all voting aye by roll call.

On a motion by Richard Hartmann and seconded by Alan McClennen, the Board voted to re-elect John Meyer as Clerk. The vote by the board was 7-0-0 with Richard Hartmann, Mark Berson, John Meyer, Len Short, Kevin Mahoney, Alan McClennen, and Robert Rich all voting aye by roll call.

MINUTES

Corrections were requested to be made to the minutes from July 19, 2023 which includes: 19 West Road, Increase in Allocated Flows, the motion to increase flow be changed as Robert Rich was recorded as seconding the vote and he was not in attendance to John Meyer who seconded the vote; In Asset Management Plan, correct "By the time the grant is rewarded" to "By the time the grant is awarded", and correct "Sue would like a chapter to be added to the water treatment plant" to "Sue would like a chapter to be added for the water treatment plant".

Robert Rich states he is in favor of Tom Daley's remarks about inability to do the pump repair and open a discussion about the enterprise fund and the budget, stating that the department should not have to wait a full year for a pump. Tom Daley relayed the comment to the Select Board and Town Manager that it was inappropriate in his quarterly report. Last fiscal year, Todd asked if it was possible to have an emergency revolving fund for such things and was told there were other avenues and the request was denied.

Lynn Bruneau states that there were challenges previously which may be resolved with new ideas and solutions from the new Town Manager for emergency funding. Lynn also suggests talking about budget policy in a public forum this September in the Public Hearing, September 14. Mark Berson states that due to the department being self funded it should be separate and apart from the layers that are required to get something done. John Meyer states that Tom Daley's previous experience is great and we should take action as soon as possible to get changes made. September 14 is not far away and we should formulate what needs to be said and get a warrant submitted. Tom Daley will put a draft together with Sue to provide to Robert Rich for review.

On a motion by Robert Rich and seconded by Len Short, the Board voted to approve the minutes of the meeting of July 19, 2023 with noted corrections. The vote by the board was 7-0-0 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, Mark Berson, John Meyer, and Robert Rich all voting aye by roll call.

WATER DEPARTMENT REPORT

WELL #4.

Well 4 was pulled apart this summer due to lightning strike. The parts were sent to redevelopment and all parts are back in except the new motor which will be in September 11th. It will be towards the end of the summer before the well is back online. The department did get approval for the insurance claim, therefore the parts affected by the storm will be reimbursed for after deductible.

WTP LAGOON REPLACEMENT PROJECT

The punch list was finished a week ago Friday. We are still having difficulty with sand washing down embankments into lagoons. We are waiting for a price for D&C to come back and resolve this issue. This will be the last piece of the puzzle for the lagoons.

DROUGHT STATUS

The summer monthly chart is provided with backup of previous years. We are just barely above the line in August. The entire state has been declared a normal status, there is no drought. Sue states that we are good with voluntary restrictions in place.

ASSET MANAGEMENT PLAN GRANT

Sue has been working with Weston and Sampson preparing the grant, which was signed August 10 by the Town Manager and submitted on August 11. Sue thanks those that had responded to the questionnaire.

Mark Berson asks if there is any kind of climate change built into the asset management plan. Sue responded that it is not currently built in but there should possibly be a discussion about it. Tom Daley states that there is utility resiliency that has taken off in the last years and we have been getting grants which take into account sea level rise, river rise, and those of the similar.

NEW BUSINESS

COMMITMENTS/ABATEMENTS/REFUNDS

Sue went through an explanation of the categories within the department commitments per Richard Hartmann's request for new member's reference.

Sue noted that both the commitment and pumping are down due to all the rain water. Richard Hartmann believes it is important to pay attention to the relationship between what we pump and what we receive as this will play a role in determining when to build the next plant.

A motion was made by Alan McClennen, seconded by John Meyer to commit water receivables for the month of July, 2023 a total of \$792,062.65. The vote by the board was 7-0-0 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, Mark Berson, John Meyer, and Robert Rich all voting aye by roll call.

A motion was made by Len Short seconded by John Meyer to commit sewer receivables for the month of July, 2023 a total of \$58,867.91. The vote by the board was 7-0-0 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, Mark Berson, John Meyer, and Robert Rich all voting aye by roll call.

OLD BUSINESS

RENEWABLE ENERGY IN THE WATERSHED

Tom Daley and Ron Collins just had a meeting with Mike Ford and two placeholders for articles went in for the town meeting.

One article was for special legislation, Chapter 97 to allow the option for if anything is outside the meter.

The second article warrant is for \$100,000 for concept design of how to lay it out and make it happen as well as water treatment plant improvements.

Alan McClennen states that next month the Board should take support for these articles.

SEWER DEPARTMENT REPORT

46 MAIN STREET, INCREASE IN ALLOCATED FLOWS

The applicant, Mark, is present during this time. Mark states the plan is to convert the upper floors of the Whole Food Store building to residential use. Present with the applicant is the engineer, John, from Coastal Engineering. The space will be converted to two studio apartments and one two bedroom apartment.

Motion to approve the increase of 258 gallons per day for 46 Main Street by Alan McClennen seconded by Len Short. The vote by the board was 7-0-0 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, Mark Berson, John Meyer, and Robert Rich all voting aye by roll call.

REVISE SEWER USE RULES AND REGULATIONS

Tom Daley gave a brief overview of where the revisions take place before diving into them: definition corrections and additions; references; cleaned up language for IPP; added language from counsell for liability; broke out throughout document Meetinghouse Pond Phase 2; added Appendix J Wastewater Increase Allocation application; insurance requirement for Drain Layers; edits to FOG rules and regulations; clarification to extra water meters for wells; map of Meetinghouse Pond Phase 2; Appendix D water use records were updated as we found properties missing; fees; deduct meter instructions; submittal requirements; construction details; table for E-One pumps and costs; and added Appendix K Drain Layers application.

Tom then went through the revisions in detail.

The index will be cleaned up and updated based on the final printing.

Definitions: Sewer Service Area should be "Areas". FOG, the last bullet needs to remain grease "trap" requirements, not tank.

Mark Berson went through these SURR as a lawyer, and found about 20 concerning issues with the definitions. Of which the most concerning is Article VII, Section 7, Right to a Hearing. It does not explain how the hearing will be conducted, what the issue before the hearing is, whether or not someone who has asked for the hearing has the ability to have or not have counsell, etc. Article I, Section 1 Definitions Agent Letter does not define what the letter is or what the responsibilities are. Mark recommends a standard format be created to follow, to control the agent's letter. Robert Rich asked that Mark Berson put all these legal issues on a list to review with Mike Ford.

Article IV, Section 8 Fats, Oils, and Grease Traps/Tanks, tanks & traps should remain in the title as well as in numbers 1-4 of A. C.3. should be Traps. D has a typo that needs to be corrected. E should be Traps.

Article VI, Section 2, B. The water meter is installed by a plumber at the owner's expense. The water department will install the transmitter on the meter. The same follows for the deduct meters in notes of the fees section. In addition to the deduct

meters, "irrigation" deduct meter may be too restrictive as we have a current deduct meter being used that is not for irrigation.

Appendix E, Fee Schedule: Fee for Failure to Connect after Town Order, Tom recommends an increase from \$50 per day to \$250 per day.

Motion to approve the increase of Failure to Connect after Town Order fee to \$250.00 per day by John Meyer seconded by Alan McClennen. The vote by the board was 6-0-1 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, John Meyer, and Robert Rich all voting aye by roll call. Mark Berson abstained.

Appendix E, Fee Schedule: Sewer Service Area Expansion Application, Tom recommends breaking this out by Non-Single Family Home \$1,500.00 and Single Family Home \$250.00. This would be to help out those with single family homes.

Motion to approve the change of Sewer Service Area Expansion Application to Non-Single Family Home \$1,500.00 and Single Family Home \$250.00 by John Meyer seconded by Alan McClennen. The vote by the board was 7-0-0 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, John Meyer, Mark Berson and Robert Rich all voting aye by roll call.

Appendix E, Fee Schedule: Sewer Markout Fee, Tom recommends to keep this in line with the water department for the time being as \$40.00. After discussion of if this fee is high enough, it was decided to review both department's markout fees next year for an increase.

Motion to adopt a \$40.00 Sewer Markout Fee by Alan McClennen seconded by Richard Hartmann. The vote by the board was 7-0-0 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, John Meyer, Mark Berson and Robert Rich all voting aye by roll call.

Appendix E, Fee Schedule: Capital Improvement Fee - TBD and should remain as TBD, based on Article VI, Section 5, Capital Improvement Fees as this is a potential future fee.

Appendix H, Section 3: Inspection and Testing - D, need to correct e/f formatting.
Appendix H, Section 3: Inspection and Testing - 5.b.4 Correct defective to defect.
Appendix H, Section 14: Prefabricated Low-Pressure Sewage Pump Systems, paragraph F - E-One pumps should be updated with new pumps. Include the E-One table from FR Mahoney in the SURR.

The construction details specification numbers are being tweaked. Tom wants to add metallic tape to these details.

Motion to approve the revised Sewer Use Rules and Regulations of August 16, 2023 subject to final legal review by Town Counsell by John Meyer seconded by Richard Hartmann. The vote by the board was 7-0-0 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, John Meyer, Mark Berson and Robert Rich all voting aye by roll call.

The fees need to be communicated to the Select Board, Sue will assist Tom in doing so.

NON-FLUSHABLE WIPES - MARK BERSON, MIKE FORD

Tom Daley met with Mike Ford and sent over a current pending law in the statehouse regarding flushable wipes. His initial thought was that the Board can get behind and support it. As this information came in late to the meeting, it is asked that everyone review this for the next meeting.

MEETINGHOUSE POND UPDATE

Alan states we are looking at the cost of the extension of Meetinghouse Pond on the East side, Tide's End, and working to develop the potential costs. There is a warrant article in the Special Town Meeting. This will be eligible for state grants, etc., and this would complete all of Meetinghouse Pond. Meetinghouse Pond is the only pond in Orleans that requires 100% of nitrogen removal.

WASTEWATER TREATMENT PLANT UPDATE

Alan states we are down to the final discussions, final change orders, and the final costs, which will be completed in the next couple of weeks.

WASTEWATER MANAGEMENT ADVISORY COMMITTEE

Alan states that we are in the early stages of the ponds project. We are looking at the east side of the lake as it was not included to be sewerred, but double checking it to be sure. There is about 8 months of work to be done to get this ready for the Spring Town Meeting. There is no work to be done in the area of the elementary school.

Len asks about the public bathroom at Pilgrim Lake Beach and Alan states that it will be sewerred.

VEOLIA UPDATE

On the cover of the Monthly Operating Report there is a picture of the jetter out in the field. There was a blockage in the line which likely occurred due to low flow as there is only one property connected in that area. This may be a hot spot going forward. Upon inspection, there did not appear to be a lot of grease, mostly lots of toilet paper and not enough flow to move it.

There were an additional two tie-ins in July bringing our count to 14. Septage receiving is slowing down a little which we anticipated. We have had to increase MicroC use due to the lack of food for the system. MADEP came out and did a compliance inspection in June. The report has been issued and there are a few items at the top of the report that

need to be addressed, loose ends from the construction phase. We will work with AECOM and DOC on these items.

There is a new section on page 11, Notice of Warranty Work, with an overview of their status. There is also a new parameter on page 3 section 3.1, going forward we will report total flow received at the facility, a combination of septage and collections system flows. When flow meters are dialed in they should be close to the discharge amounts. Robert Rich asks about 4.1 Wick Maintenance and MADEP's concern. We have begun doing regular measurements of depths of the wicks, per AECOM. The notation on the report is regarding flow reporting. We are working with AECOM and DOC for a list to install a check valve on the force main before it leaves the facility and install a meter (contingent on pricing).

ADJOURNMENT

On a motion by Alan McClennen seconded by John Meyer the board voted to adjourn the meeting at 2:52pm. The vote by the board was 7-0-0 with Alan McClennen, Richard Hartmann, Len Short, Kevin Mahoney, Mark Berson, John Meyer, and Robert Rich all voting aye by roll call.

LIST OF DOCUMENTS USED

1. Draft Minutes of the July 19, 2023 Meeting
2. USGS Well BMW22 Depth to Groundwater
3. The Massachusetts Clean Water Trust Asset Management Grant Program application
4. Town of Orleans Water Department Commitments, July, 2023
5. Town of Orleans Sewer Department Commitments, July, 2023
6. Application for Additional Allocated Wastewater Flow, 46 Main Street
7. Updated Sewer Use Rules and Regulations
8. Updated Sewer Use Rules and Regulations E/One Pumps and Pricing from F. R. Mahoney & Associates
9. Updated Sewer Use Rules and Regulations Construction Details
10. Commonwealth of Massachusetts House Docket, No. 2639 Filed On 1/19/2023
11. Town of Orleans Sewer Department, July, 2023 Monthly Operating Report

Submitted by: Marinna Raucci, Veolia