

**MEETING OF THE ORLEANS
BOARD OF WATER/SEWER COMMISSIONERS
April 20, 2022**

Asst.
TOWN CLERK
2022 MAY 18 3:46PM

The Board of Water and Sewer Commissioners held a Hybrid meeting on Wednesday, April 20, 2022 to conduct regular business:

Those present were Alan McClennen, Robert Rich, Herbert Kinney and John Meyer of the Board; Len Short and Mark Berson, Associate Members of the Board, Todd Bunzick and Susan Brown of the Water Department, Tom Daley, Director of Public Works and Natural Resources, Tess Laffer and Tim Harrison from AECOM, Lynn Bruneau, liaison from the Finance Committee and Kevin Galligan, Select Board liaison. Absent was Richard Hartmann of the Board. Len Short acted as a voting member in his absence.

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

MINUTES

On a motion by Leonard Short seconded by John Meyer, the Board voted to approve the minutes of the meeting of March 16, 2022 as submitted. The vote by the Board was 5-0-0.

On a motion by Leonard Short seconded by John Meyer, the Board voted to approve the minutes of the meeting of March 23, 2022 as submitted. The vote by the Board was 5-0-0.

WATER DEPARTMENT REPORT.

RESIDUALS PROJECT

The CIP price estimate for the residuals project was originally \$250,000. The lowest bid was Robert Our at \$1,469,765.40. Due to the price discrepancies, the project was pulled from the Town Meeting warrant. Not because it wasn't a fair price because estimates for the proposed project were 1.4-1.8 million but because there wasn't enough time prior to Town Meeting to educate everyone on the reasons. This proposed project needed approval from MassDEP. In this case, the engineer we chose proposed a more permanent solution to our residuals problems rather than the quick fix that would require more work in the near future. This is now a MassDEP approved project with a couple of conditions (Updated ERP with contingency plan, O&M Manuals, and disposal of residuals plan). John Kelly will ask if the low bidder will hold his price until the Fall Special Town Meeting or we will re-bid the project.

CANAL WATER MAIN PROJECT

The 8" on Canal Rd from Jones to Locust Rd has been replaced. The 6" on Canal Rd from Jones Rd to Wendy's was started but temporarily abandoned when the State allowed the contractor to begin work on the State roadway again after the asphalt plants re-opened.

WELL MAINTENANCE REPORTS

The Board was provided with a copy of the most recent well maintenance report. Water Superintendent Todd Bunzick informed the Board that based on the report, he has chosen well #1 for cleaning and redeveloping.

MEMBRANE FILTER REPLACEMENT

The filters for the first two racks were received on April 13, 2022. The Department plans to begin installing them sometime after flushing.

FLUSHING

Flushing will begin Wednesday April 20th and end on or around Tuesday May 10th.

ANNUAL WATER QUALITY REPORT

The Board was presented with a copy of the 2021 Annual Water Quality Report which information on how to obtain a copy will be inserted into the water rates billing scheduled for mailing on April 29th. The Board was also informed that the link for viewing the report was included at the bottom of all emailed invoices.

WATER USE RESTRICTIONS

The Orleans Water Department is required under its Water Management Act Permit to monitor well BMW22 in Brewster and when levels decline to or below the established triggers for 60 consecutive days, we are required to restrict non-essential outdoor watering to no more than TWO days per week before 9am and after 5pm. Once implemented the restrictions must remain in place until the well levels have recovered to less than the trigger for 30 consecutive days.

The Board was presented with a chart that indicated that we have been at or below for 60 consecutive days.

On a motion by Leonard Short seconded by John Meyer, the Board voted to implement mandatory two day per week non-essential watering restrictions from May 1st to September 30th and to send the information to our customers in the April 1st billing which is to be mailed on April 29th. The vote by the Board was 5-0-0.

Mark Berson suggested that flyers be handed out at Town Meeting.

NEW BUSINESS

COMMITMENTS/ABATEMENTS/REFUNDS

A motion was made by Richard Hartmann seconded by John Meyer to commit for the month of March 2022 to rate \$0.00, to installations \$6,578.42, to services \$800.00, to usage \$0.00 and to added billing \$252.21. The vote by the Board was 5-0-0.

WASTEWATER

See attached by AECOM for the minutes related to wastewater.

ADJOURNMENT

On a motion by Leonard Short seconded by Robert Rich the Board voted to adjourn the meeting at 1:53 pm. The vote by the Board was 5-0-0.

LIST OF DOCUMENTS USED

1. Draft Minutes March 16, 2022
2. Draft Minutes March 23, 2022
3. Page 10-9 Asset Management Plan Update January 2020
4. Page 10-17 Asset Management Plan Update January 2020
5. MassDEP letter dated March 21, 2022 regarding approval of WTP Modifications
6. H2Olson Bid Evaluation for Residuals Project, April 4, 2022
7. 2022 Well & Pump Inspection Report, Weston & Sampson
8. 2021 Annual Water Quality Report
9. Notification to MassDEP of Water Use Restrictions May 1-September 30, 2022
10. Well BMW22 Chart as of April 2022
11. Copy of Customer Notification of water Restrictions
12. Commitments March 2022
13. Article 18 of the May 2022 Town Meeting Warrant, Adopt Sewer Assessment General Bylaw

The next regular meeting is scheduled for May 18, 2022 at 1:00 pm.

Secretary, Board of Water/Sewer Commissioners

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**Board of Water/Sewer Commissioners
Meeting Minutes**

Part V. Sewer Update

Meeting Date
April 20, 2022

Meeting Location
Nauset Room, 19 School Road, Orleans, MA 02653
Webinar: <https://us02web.zoom.us/j/82864206038>

Project No.: 60587515

Attendees

BWSC Members: Alan McClennen, Robert Rich, Leonard Short, Herbert Kinney, Mark Berson, John Meyer
Town of Orleans: Todd Bunzick, Susan Brown, Lynn Bruneau, Kevin Galligan
AECOM: Tim Harrison, Amy Hunter, Nicholas Broderick

Time Meeting Convened *(by Alan McClennen)*

1:00 PM

Time Meeting Adjourned *(by Alan McClennen)*

1:53 PM

Summary of Discussions *(Prepared by Nicholas Broderick)*

1. Background

- a. The purpose of Part V of the Board of Water/Sewer Commissioners (BWSC) meeting was to provide an update on the Town of Orleans sewer work including contract 2019-01 Wastewater Treatment Facility and Effluent Disposal and contract 2019-02 Downtown Area Collection System and Pumping Stations.
- b. This was posted as an open meeting beforehand, and the public may attend if desired.

2. Discussion

- Betterment Bylaw as voted by Select Board April 6, 2022
 - Alan McClennen: Since our last meeting the Select Board voted a betterment bylaw of 80% taxpayers, 20% users. It was essentially what we had discussed, and what you have in front of you is what's actually in the warrant. It includes a number of edits that were made with Mike Ford, John Kelly, Cathy Doane and myself to clarify a few things. It didn't change anything significantly, but hopefully takes care of some hiccups that were in there, so I just want you to all have a copy of that.
 - Alan McClennen: I want to just give you a brief update on things that we're looking at in the betterment bylaw details, questions we have to answer and also just a quick summary of where we are in Meetinghouse planning at this stage. As an introduction, we spent a lot of time developing the database for the betterment bylaw, starting back in 2017 and as we got closer to the end we found some questions that needed to be answered that probably represent maybe 8 to 10% of the total number of connections but we knew they were there, and Tim is just going to give us a rundown on some of those issues

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- o Tim Harrison: I wanted to just provide a real quick overview of how the betterment database is assembled and put together as well as talk about some of the major steps that are going to need to be required to update the database prior to finalizing any of the betterment values. There are two primary sources of data for the database. One comes from the assessor's office and the other is from the DPW water use information. The assessor's database gives us information such as owner, information, address, and land use classifications. The water use data for fiscal years 2018 and 2019 at least, was an annual total based on the meter readings. So those two databases are joined together using the DPW key number that allows us to assign water use to individual assessor's records. The database that we have been using is based on the older water use as well as the older assessor's database. We did go through and do the exercise of assigning all the sewer units as outlined in the betterment bylaw. Based on use, it's apparent that the existing database will need to be updated and based on the way that the meter water use records are assigned to the parcels there is about 29% of the 1,100 records in the database are noted are no betterment records. When we go through and update the database we will need to be using the latest assessors information, we'll update with the new water information that'll be based on the new water meters that have been installed, and at this point we're looking at water use records from fiscal 2022, 2023 and 2024 for the Downtown Area but a final decision will be made on that in the future. And then one of the major pieces of work for the database update will be to scrub the database, to resolve a lot of those no betterment records, identify and resolve any discrepancies or mischaracterizations, if there's something that's out of date or incorrect in any of the source databases we'll try to pick up on that and then based on that we'll be able to finalize the betterment assessment list and the values. I know there has been some interest in where those no betterment records are coming from so we did a little bit of a deeper dive into that, and so that 29% that I said earlier is based on 321 no betterment records. When you look at those records there's only actually 38 unique street addresses, which is about 6% of the addresses in the Downtown Area. The records associated with those addresses that may not have been assigned the betterment to date is that most of the cases can be assigned to the fact that there's a condo either a commercial or residential condo where there's multiple properties sharing a single meter and that accounts for 24 of the 38 cases and so what this Commission may want to do is consider assessing a betterment to the water meter account holder and having those owners distribute the costs appropriately, but that's obviously subject to discussion and final decision. Four of the 38 cases have been identified as undevelopable properties. One of the 38 cases has been assigned as a conservation property, and one of the 38 cases is a government property. For those three cases we'll need to confirm the status for those characterizations, and then confirm that they would not be assigned an assessment. That leaves 8 cases where there are no water records associated with uses, that we might expect there to be a water use, such as a condo, or a single-family residential and office building or retail space. So for those 8 cases is where we're actually going to need to dig in to do a little bit more investigation on a case-by-case basis why there might not be a water record there.
 - o Todd Bunzick: Could it just simply be that it's a house with a well? There are houses in town that still have a well, so that might be remaining 8.
 - o Alan McClennen: Yeah, it could be and I think the other thing we may pick up is that this is on old water meters so with new water meters we may have picked up some that we didn't know before, and the other thing to remember is that the uses were based on what was on the assessors card, the proposed land uses may have changed. We have a new assessor who's checking things, so that will probably give us some changes. We've got a couple of years to put this together. It's going to be changing anyways because of new uses come in and other ones go, and sort of the goal here at this point is, if you look at we're going to use the water record starting July 1, 2021 and that is driven because we need three years before we assess the betterment so we've got to finish our water calculation by June 30, 2024 to get three years, because the bills will go out in the fall of 2024. Hopefully that gives us enough time we want to delay to July 2021, because we want to try and avoid Covid different uses, and we know the first year is going to be half Covid, half maybe not, Covid but we put it together over three years we'll be able to see that.
- Collection System Update- John Meyer

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- John Meyer: Robert B. Our crew number one finished their last manhole about 10 days ago, and they're working on Stop and Shop right now. Somebody mentioned Locust Road being paved, the paving is coming out very nicely, and I think the complaints that I've heard about streets being ripped up will soon be eliminated, and the project is proceeding I think ahead of schedule, and everything is fine. Safety conditions are all good which was my original concern and that's about it.
- Alan McClennen: I would just say that the emergency generators are being installed this week. I think the one at the Middle School may have gone in today. It was at the site last night and it's a big white box, if I remember correctly, so anyways the other two go in either today or tomorrow. One was being delivered today and the crane was there this morning.
- Treatment Plant Update- Alan McClennen
 - Alan McClennen: As far as the treatment plant is concerned, things are moving rapidly. I think we're tracking somewhere on 60 days behind the projected schedule that will have us finishing early to mid-August. The delays, if any, are from the manufactured products, pieces of equipment that can't seem to be found. Otherwise, the Project is moving ahead on time and on schedule and on budget.
 - Herb Kinney: Would you just comment as to how that will affect the coordination with the finishing of the collection system and getting the plant online?
 - Alan McClennen: The schedule is that we will begin clean water testing in early September. The generators are going in but the VFDs are not here so we're looking at the generators, whether they can be operated manually or something so the fact that the collection system is a little ahead of the plan at this point is not a problem. Otherwise, everybody seems to think we'll be able to start testing it real late August early September. The treatment plant is, as I say, on schedule. If you have a chance, go up with a hard hat and the vest, every subcontractor is there, and it's a busy place unlike for the last 15 months. You could go up and look at it on the outside, and say, Wow! They're putting up walls and roofs and everything. Now you really got to get out of the car and go inside because it's a lot going on, there's a lot of equipment in there and a lot of trades there. The roof was finished last week, and it's exciting to see what's going on.
- Meetinghouse Planning- Tim Harrison
 - Alan McClennen: Let's move on to Meetinghouse Pond, we're coming to Town Meeting, and this is quick summary of where we are.
 - Tim Harrison: I wanted to give a quick reminder of where we are and some of the upcoming milestones associated with the Meetinghouse project. We're looking at about 16,000 feet of gravity sewer 8-inch through 12-inch about 21,000 feet of low-pressure sewer. There will be one submersible pumping station located here at Town Hall and that'll pump into about 7,500 feet of force main. Within this project area we're looking at about 480 connections, of which about half of them we expect to require a pump to be able to overcome the topographical difficulties in the area.
 - Alan McClennen: Tim, while you've got this up over on the right-hand side is a circle that represents the six houses upstream of Uncle Harvey's pond that were recommended to be connected to this system to remove phosphorus flowing into Uncle Harvey's pond. So, we've included those and I think the way we'll proceed is when we actually go to the bidding process, they're not included in the in the cost estimates today. We'll go to the bidding process and either have an add or deduct bid for those so we know exactly what the cost is. It is projected, based on current cost of Downtown that those six houses are going to cost somewhere around a half a million. Six low-pressure connections, and we can compare that to the pipe down to the Orleans Yacht Club, or Cottage Street, so forth. But anyway, that's just a piece of information
 - Bob Rich: I assume these islands up here on the upper right are related to flow going to the ponds going this way. How about this island of residences over here?
 - Tim Harrison: The yellow are properties that requires a low-pressure system. The properties themselves are below the road level in most cases, for those yellow parcels. Everything that's blue is gravity everything that's green in the street is low pressure. Our preliminary design is nearly complete. The topographic survey is done and the cultural resource evaluation is complete. We've

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heard back from the historical commission that they feel like our project is unlikely to impact resources which is great news. All of the borings are complete except for two for the pump station here at Town Hall, and the Board of Health Records have been scanned and are incorporated into our design sheets at this point. You may still see some of our survey crew out there picking up small bits of information, but all the water lines and services that are still being worked on. That'll continue to feed into our design. In terms of the final design, we have identified where easements are going to be located, where constructions required on private roadways. The SRF PEF, the project evaluation form has been completed, and we've heard back from the State on that. We're currently updating the capacity analysis, the cost estimate, and the contract documents and we're going to be starting to prepare the permit applications in the coming weeks to months. I mentioned the SRF PEF that has been evaluated by the State, and just as a reminder, the Meetinghouse Pond Project did score very highly, which is great news for the Town, they did recommend the full request amount for that but being part of the SRF Program does come with some deadlines associated with that program. So, at the upcoming Annual Town Meeting the Town will need to vote for the Meetinghouse Pond Project, the following week there needs to be a voter approval for that funding, and then we will need to turn it into the State. By the end of June, the certified vote from the Town for those actions. By October the design will be substantially to complete, so that we can submit that loan application to the DEP program. We'll get an approval to advertise from the State, based on that application to allow us to conduct the bidding phase. In the winter of 2023, and we're targeting a start of construction, and in spring of 2023, no later than June.

- o Alan McClennen: One thing that people need to be reminded of: we go to Town Meeting on May 9th, and we go to the polls on May 17th it will probably be 14 or 15 months after that, assuming the Town Meeting votes this where we actually start construction, and even though this says spring of 2023 my guess is, it will probably be September because we don't want to be digging up Main Street during the summer, so it's quite a lead time to get everything done. Just one other Lynn Bruneau and others and myself are going before an Orleans Citizen Forum next Thursday at 4 o'clock. Please join us, we'll be talking about how this gets funded, who pays what, how much and so forth. It's interesting that when you look at work that Cathy Doane has done, costs relating to Downtown and Meetinghouse Pond, which is the consensus agreement add up to about a \$107,000,000, and by the time you're finished with grants from the Cape and Islands Trust, the betterment bylaw, and the \$1,500,000 that we're projecting to get from a short-term rental tax, the taxpayers of Orleans are actually going to pay about \$17,000,000 of that \$107,000,000. That's assuming that the \$1,500,000 continues to come in and everything else. When we started on this project 8 or 10 years ago, the taxpayers were going to pay a 100% of it so it's paid off waiting and doing a lot of things to make it work.
- Contract Operations
 - o Alan McClennen: I just want you to know that Suez is there on site. Ed McAuliffe has been there since March the first on a daily basis sort of watching and reading manuals and setting up filing systems. He's the person who will be the head operator and we're excited about that. Next Thursday at 10 o'clock we're meeting his new boss because Suez was acquired by Veolia and there's now a new boss so we'll meet him next week, so everything seems to be going along all right there.
- Preparations for Town Meeting May 9, 2022 and Orleans Citizens Forum April 28, 2022

Meeting Adjourn by unanimous consent: 1:53 pm. Moved by Len Short, seconded by Bob Rich.