

Board of Public Works

6/18/20 – Minutes

“GoTo Meeting”

Present via remote login:

DPW Board Members: Chair – Tom Nephew, George Clark, Paul Brinkman, Pat Harrington, Lewis Lunn, DPW Director – Ken Kalinowski, DPW Superintendent – Joe Jordan, others Tighe & Bond Consultant -Emily Scerbo, Conservation Administrator - Paula Terrasi and Susan Tocci.

Call to Order at 6:00 p.m.

Chairman Tom Nephew called the meeting to order at 6:01 p.m. and announced that it was being recorded and potentially being broadcast.

Acceptance of Meeting Minutes:

May 28, 2020 (Regular, including public rate hearing)

Pat Harrington made a motion to accept the minutes from May 28, 2020 as presented. Tom Nephew seconded the motion.

The following roll call was taken:

Pat Harrington – Aye

Paul Brinkman – Aye

Tom Nephew – Aye

The motion to accept the minutes as written passed unanimously.

Abatements (as requested)

None

Stormwater Program / MS4 Update – Emily Scerbo / Tighe & Bond

Ken Kalinowski started the meeting by stating that there was 1 dissenting vote for the 2 enterprise budgets (Water and Stormwater) at the BOS meeting for FY21. He was not exactly sure why at this time. Given that situation, Ken stated that he thought this would be a good time to review with the Board of Public Works our Stormwater Program.

Emily Scerbo, PE, Senior Project Manager from Tighe & Bond, joined the conversation and led a power point presentation on this refresher / discussion regarding Pepperell's Stormwater Program.

She started with a bit of a refresher stating that stormwater is rainwater, or snow melt, that falls on paved streets, lawns, parking lots, and sidewalks and that can then become polluted stormwater. The more impervious the surface, the more stormwater runoff you can get, and this impacts the receiving waterbodies. There is a good correlation between the amount of impervious surfaces and impacts to local water bodies. Typical pollutants in stormwater include trash, oil, fertilizers, sediment, sand and bacteria. Because of this the EPA nationally promulgated the Small MS4 Stormwater Program. The program is jointly administered by both the EPA and MassDEP.

Most towns started their stormwater programs with the 2003 permit. Pepperell started with the 2016 permit program which took effect July 1, 2018. The 2016 permit is much more stringent than the 2003 permit. Pepperell now needs to play catch-up, however, we can learn off the mistakes of other towns who have been part of this program for several years.

Nationally, everyone is using the following 6 minimum control measures (MCMs):

1. Public Education and Outreach
2. Public Involvement and participation
3. Illicit Discharge Detection and Elimination (IDDE) Program
4. Construction Site Stormwater Runoff Control
5. Stormwater Management in New Development and Redevelopment
6. Good Housekeeping and Pollution Prevention

In addition to these 6 measures, there is a Total Maximum Daily Loads (TMDLs) and Impaired Waterbody Requirements that we need to follow. Any water bodies that are not meeting the clean water act goals and uses have additional requirements. In Pepperell, the

Nashua River falls into this category and there will be additional things we need to do (for instance, we will need to reduce phosphorous).

This is a Federal requirement under the Clean Water Act. The EPA is doing compliance audits and there are a wide range of enforcements that we need to be aware of. We do not want to be part of audit, but if we are part of an audit, we want to comply so as to avoid fines and therefore control our expenditures.

Pepperell is currently on track with regulations. Both the Notice of Intent (NOI) and the Stormwater Management Plan (SWMP) are on the Town of Pepperell's Stormwater dedicated page.

Every year, we need to seek input on the program from the public. Also there has been an informal working group who have been looking into the requirements. This year we will need additional guidance from the Planning Board and the Health Department.

In year one, the Town of Pepperell adopted a Stormwater Enterprise fund. This is good as it will safeguard the stormwater funds during hard economic times when other towns will be using funds for schools rather than this program. We will avoid this as we have a steady stream of revenue coming in.

Public education is on-going, some of it has been through the NRWA. In addition, there have been some town-wide clean up events. Last September our reports were submitted on time. We are looking forward to bringing some GIS capabilities in-house in the next several months.

The Town of Pepperell is part of Northern Middlesex Stormwater Collaborative. This saves money through the regional education programs as well as grants.

We are heading into Permit year 3 and then 4 which will require:

- Continued Education, which must be ongoing every year.
- IDDE is going to require a substantial amount of work. This will include: improving the drainage system mapping, developing a written IDDE Plan, annual employee training and a look at pollution prevention.

Another big piece is the Municipal Good Housekeeping and Pollution Prevention Program: this is a town-wide operation and maintenance plan. We will also need specialized plans for areas such as the DPW yard.

We need to adopt 2 bylaws on illicit discharges and stormwater management for construction and post construction. This will require Town Meeting approval and is key as we are building a new permitting program. It will ensure that any construction on 1 acre or more is adequately treating stormwater runoff. The town is ultimately responsible for meeting the clean water act goals, but this bylaw will make it a joint venture with private landowners.

The annual report is due September 29th for the year ending June 30th.

We have put together a budget which is solely for the compliance portion. It will cost approximately \$50k/yr. just to do up-front planning, and sampling.

More importantly stormwater funding is needed to support routine and proactive drainage system inspections, maintenance, and repair to help keep the system operable and reduce flooding.

The town is also looking into making significant changes to catch basin cleaning and tracking, and data management. This is a very important component and there is a high initial cost to get this part of the program up and running.

We will also have to look at proactive culvert inspections and capital improvement plans; this is important as it opens up the town to more funding.

Ken stated that we are working with Paula Terrasi and the Department of Environmental Restoration on an almost \$400,000 culvert upgrade for Heald St. and potentially for Lawrence St.

Stormwater is not just catch basins – there are a lot more opportunities to leverage our time, properties and money. Emily stated that perhaps we can get some of the culvert projects done with grants and cost sharing.

Other stormwater funds are being used for:

- Staffing

- GIS person (shared with Water & Sewer Department)
- Admin and overhead costs
- Possibility of limited capital plan – some overlap with highway operations
- Match for various grants to advance goals of program

Tom Nephew asked if the GIS Analyst will be a permanent position.

Ken said that yes as we have enough mapping needs. This may help with online permitting with other departments. When Stormwater, Water and Sewer departments needs are primarily met – this position may become a town-wide position for things like online permitting. The general fund will then pick up a portion of the salary.

We do not have a capital line item in Stormwater yet. If the town can buy a street sweeper that the highway department may use and maintain through Stormwater, then this may benefit all departments.

Pat Harrington asked about our next milestone/deadline and are we prepared.

Emily stated that the next thing to take care of are the bylaws and regulations. It is due ASAP. The EPA would like it by the end of the permit year. We have applied for an MVP grant to support this project. Also, we will need to get the report and the IDDE plans. We are currently at the end of year 2 (June 30th).

Tom Nephew inquired as to whether we will have the bylaws ready for Fall Town Meeting.

Emily said that in the MVP grant that we applied for, this is targeted for the annual town meeting in May.

Pat Harrington asked if we are setting a deadline for ourselves to have these completed. The hard deadline is end of next permit year. We need to be ready for the next Spring Annual Town Meeting.

A lot of other communities have been following stormwater rules and regulations for 10 -15 years already. We need to catch up as our permit is only 5 years.

Tom Nephew wanted to know who is responsible for driving this process.

Ken stated that it is a joint effort between the planning board, DPW and the Board of Health. Emily also added the Stormwater management is usually done by the Planning Board or Conservation Commission. Ultimately, it is the inhabitants of Pepperell who are responsible.

Paul Brinkman wanted to know how we are doing on a funding basis. How does this look long-term?

Ken stated that we are doing well. We will encumber \$10k for next year.

Tom stated that Stormwater is currently charged by parcel. He would like to discuss this at the next BPW meeting.

Emily said that Pepperell is doing a per parcel flat fee, which is allowed by MGL. There are other communities that are charging by the amount of impervious surface, however, that is extremely difficult to do and is administratively quite complex.

Emily said that the MA DEP has a sheet showing how other communities charge for Stormwater. She will send that over to Ken for distribution.

WATER / SEWER

- HPE / PVC Water Main Alternatives

Ken stated that we looked at water main alternatives at the last meeting, but the Board wanted more guidelines, so he put together a memo with this information.

Tom said that we need to be very clear so there is no ambiguity when allowing these alternatives.

Ken would like the information to be put online.

Joe Jordan stated that he just met with the Birch Dr. developer and this may be a good example of using the polyethylene.

Ken stated that we have a few pilot locations such as Birch Drive extension and possibly Chestnut St. extension. He suggested that we start with these 2 sites before we allow its use anywhere else.

George asked about repairs to HDPE once the job is complete.

Joe stated that once it goes in, we do not expect any problems but there may be. We would initially sub-contract out repairs before buying equipment if we need to. If there are too many problems, then maybe this type of material is not good for the Town of Pepperell.

It was agreed that all were comfortable with the guidelines that were written by Ken.

Ken asked if the Board would be comfortable with a trial on Birch Dr. at this point. All were comfortable with this as well.

BPW Abatement Process (discussion - continuation)

There was a discussion held regarding the abatement process.

After the discussion, it was decided that we have an adequate process. All seem to like Paul's explanation of the one-time abatement. There will probably be more scrutiny on the part of the Board, as a result of this conversation.

ATM (update)

Annual Town Meeting will be held on Monday, June 22nd at 7:30 p.m. Social distancing rules will apply.

It is a stripped-down warrant to just the budget articles. Public Works has four of these articles for the 4 enterprise budgets. (Highway is included in General Operating Budget). The articles were all supported unanimously except 1 vote on both water and stormwater.

Review & Approve any Documents Requiring Board Signatures

- May Commitments

Paul Brinkman made a motion to have Tom Nephew chair sign the May commitment in lieu of the whole board. Pat Harrington seconded the motion.

Paul Brinkman -aye

Pat Harrington – aye

George Clark- aye

Lewis Lunn – aye

Tom Nephew – aye

The motion passed unanimously.

- **Drainlayer's License (Matthew Lynch)**

Paul Brinkman made motion to approve the drain layers license for Lynch Development.

Lewis Lunn seconded the motion.

Paul Brinkman – aye

Lewis Lunn – aye

Pat Harrington – aye

George Clark – aye

Tom Nephew – aye

The motion passed unanimously.

Commissioners Comments

At the rate hearing the Board voted to have the rate increase as of July 1st. This was predicated on the fact that the water base rate was also increased at that time. That did not happen as part of the vote.

Joe stated that the current base rate is \$21.85/qtr. We are proposing that the base rate go to \$30.00/qtr. The last increase was sometime around 2014.

Ken stated that we are waiting to hear from town council asking whether the Board can increase this rate without a hearing. Clarification from council as to whether the base rate is actually a fee or a rate increase will be needed in order to move forward with this.

Next Meeting Dates

The next meeting is the Annual Town Meeting scheduled for June 22nd at 7:30 p.m.

The next BPW meeting will be held on July 16th at 6:00 p.m.

Adjournment

Lewis Lunn made a motion to adjourn the meeting. Pat Harrington seconded the motion.

Paul Brinkman – aye

Lewis Lunn - aye

Pat Harrington – aye

George Clark – aye

Tom Nephew – aye

The motion passed unanimously. The meeting convened at 7:43 p.m.

Respectfully submitted,

Susan Tocci

Administrative Assistant

Wastewater and Stormwater Divisions.