PUBLIC WORKS COMMISSION MEETING MINUTES

The Public Works Commission met at 7:15 p.m. on Wednesday, February 12, 2020, at 141 Keyes Road, Concord, Massachusetts. Pursuant to Chapter 303 of the Acts of 1975, notice of the above meeting was duly filed with the Town Clerk, Town House, Monument Square, Concord, Massachusetts.

PRESENT:

Commissioners:
Andrew Boardman
James Terry
Peter W. Wallis
K.C. Winslow

Absent:
Steven Ng

Staff:
Alan H. Cathcart, Acting Director - Water/Sewer Superintendent
Aaron I. Miklosko, MSFM, Highway and Grounds Superintendent
Valerie Doerrer, Public Works Engineer – Water Systems
Bob Hill, Management Analyst
Paul Reinhardt, Management Analyst
Melissa Simoncini, Senior Environmental & Regulatory Coordinator
Anna R. Trout, Administrative & Special Projects Coordinator

Other:
Robert Hilsinger (League of Women Voters Observer)
Richard Jamison (FinCom Observer)

A: ACTION ITEMS

A-1 through A-4 - The meeting was convened at 7:15 p.m. by Commissioner Terry.

The meeting minutes from December 11, 2019 were approved.
The next two PWC meetings were scheduled for Wednesday, March 12 and April 15, 2020 at 7:15 P.M. at 141 Keyes Road.

D: DISCUSSION/ACTION ITEMS

D-1: Review PWC Calendar Draft

Commissioners reviewed proposed PWC Calendar with no additions or deletions requested. Acting Director Cathcart noted that in anticipation of the

Town Meeting schedule, a Town meeting coordination item was going to be added to the March 11th agenda.

Filling in time before the scheduled Solid Waste & Recycling Rate hearing, Acting Director Cathcart introduced CPW staff that were present but not generally in attendance. This included Bob Hill, Management Analyst specializing in Water/Sewer, Paul Reinhardt, Management Analyst in the Administration Division, Melissa Simoncini, Senior Environmental and Regulatory Coordinator, and Valerie Doerrer, Public Works Engineer – Water Systems.

Superintendent of Highway & Grounds, Aaron Miklosko mentioned that CPW has responded to twelve winter events thus far this season with a total accumulation of 32 inches of snow, keeping us under budget at this point. Commissioner Wallis commended CPW for its performance in keeping the roads clear of ice and snow.

7:20 PM **D-2: Solid Waste & Recycling Public Hearing**

Commissioner Boardman **MOVED** and Commissioner Wallis **SECONDED**, and it was **UNANIMOUSLY VOTED** as follows:

To open the Public Hearing for the Solid Waste & Recycling Program Subscription Rates and Fees.

Acting Director Cathcart explained that under Article 27 of the 1989 Annual Town Meeting the Solid Waste Disposal Fund was created. This is an Enterprise Fund. Rates must be considered and approved by the Public Works Commission after being advertised in a local newspaper and a public hearing must occur. Notice has appeared in the Concord Journal and the Public Hearing is occurring this evening.

Melissa Simoncini, Senior Environmental & Regulatory Coordinator, provided background information relative to the Curbside Program, and explained what changes are being proposed. Overall tonnage of municipal solid waste has been relatively steady. There has been a decrease in recyclables because of industry-wide reductions in packaging materials and reduction in consumer purchase of newspapers. Ms. Simoncini reminded the commission that while the volume of recyclables has decreased, there have been a number of changes in the recycling industry that have resulted in an increased cost of recycling. Among those changes is the reduction in acceptance of recyclables by China and the lack of paper rebates for our paper recycling.

As has been done in the past, the curbside collection fee is annually adjusted in accordance with the Town's contract with Waste Management. Based on this contract, staff proposed increasing the annual solid waste collection fee from

$272 to $282. Historically the disposal fee has not increased, but given increased costs in the program and desire to begin the process of incentivizing waste reduction, staff also proposed increasing disposal fees from $1.50 per disposal tag to $1.80 and $39 per barrel sticker to $46.80.

Ms. Simoncini highlighted the many benefits and incentives included within the curbside subscription program including a pass to the Minuteman Hazardous Waste facility ($60 value) and reduced rates as compared to private haulers. Every other year Concord hosts a Hazardous Waste Collection event as part of the Minuteman program, which has been a very popular event. This year it will be held on Monday, September 14 from 4-6:30 PM at 133 Keyes Road.

The current Waste Management Contract expires in June of 2021. While recycling costs are increasing across the State, Waste Management still has a market for the recyclables that are collected from Concord. This is primarily attributed to the fact that Concord employs a dual stream recycling program. Industry trends suggest that we will need to begin to explore various management alternatives including creating potential partnerships with new service providers that may be able to better respond to emerging trends and maintain cost effective service to our customers. Focus appears to be changing from promoting recycling (percent of total) to actual volume/weight reductions. Ms. Simoncini mentioned some waste management alternatives that are gaining in popularity elsewhere include food waste and textiles, to name a few.

In anticipation of upcoming contract negotiations, Commissioner Andrew Boardman inquired as to the term of contract in relation to the need for a third party service provider to recover their costs for a dedicated service fleet. It was acknowledged that this is one of many important factors that will need to be considered as we explore a new contract. Acting Director Cathcart informed the commission that Town Manager, Stephen Crane, had been actively involved in solid waste and recycling programs and had direct experience in negotiating similar contracts in the past. He has already volunteered an interest in offering his experience as we begin to explore our options.

The commission was also reminded that they had previously eliminated compost fees for Concord residents who bring their yard waste to the municipal compost site located off of Walden Street. To ensure this site was reserved for Concord residents only, eligibility has been controlled using a relatively new "sticker" program that is affixed to resident's vehicles. Based on experience gained when distributing stickers last year, staff recommended that it would be more advantageous to reduce this burden by issuing stickers every two years as opposed to annually. When the compost site opens this spring, staff will work with eligible residents to replace their expired "2019" stickers with new "2020/2021" stickers. As expected, there have been fewer issues with nonresidents and commercial entities utilizing the compost site since the inception of the stickers.

Commissioner Wallis **MOVED** and Commissioner Boardman **SECONDED**, and it was **UNANIMOUSLY VOTED** as follows:

To close the Public Hearing for the Solid Waste & Recycling Program Subscription Rates and Fees.

Commissioner Wallis **MOVED** and Commissioner Winslow **SECONDED**, and it was **UNANIMOUSLY VOTED** as follows:

To make the following adjustments to the Curbside Collection and Solid Waste Program as detailed in the memorandum to the Public Works Commission dated February 6, 2020 from Acting Director Cathcart and including the details discussed and documented in the minutes from this Public Works Commission Meeting dated February 12, 2020:

To adjust the curbside subscription rate from $272 to $282 annually for solid waste and recycling subscribers, and from $140 to $154 annually for recycling-only subscribers effective April 1, 2020. Also, effective April 1, 2020, the cost of weekly disposal tags will increase from $1.50 to $1.80 each. The cost of six month barrel stickers will increase from $39 to $46.80 each. Retailers purchase disposal tags and barrel stickers at a 5% discount to cover administrative costs and overhead. Retailer cost will increase from $1.425 to $1.71 per disposal tag and from $37.05 to $44.46 per barrel sticker.

D-3: Wastewater Capacity Update/Discussion

Acting Director Cathcart explained that it had been several years since the commission had been provided with an update on wastewater capacity challenges and opportunities facing Concord. A general overview of related planning and assessment activities was provided within a memorandum dated February 7, 2020, included in the current PWC information packet. On a positive note, the commission was reminded that there has been considerable effort invested into protecting the limited wastewater capacity available to the Town, and as a result the Town has not exceeded the permitted capacity allowance issued for the Wastewater Treatment Plant.

Using the aforementioned memorandum as an outline, Acting Director Cathcart went through many of the planning highlights included within the memo. He reminded the commission that the Town had done a lot of work on wastewater management over a period of several decades. The original driver behind all of these efforts is attributed to planning decisions made back in the 1970's and early 1980's. At that time the Town determined that despite significant State and Federal funding incentives that had been offered to communities for wastewater collection system expansion and treatment facility upgrades,

Concord had determined it wished to limit its build-out of the municipal wastewater infrastructure. It is understood that this was done to reduce growth and maintain the character of the Town at that time.

Since that time, the Town has come to realize that controlling growth and development using municipal wastewater capacity has its drawbacks, particularly when juxtaposed against long-range planning interests including the desire to realize modest changes in residential housing stock as well as limited economic growth and development.

Back in the late 1990's, Concord Public Works initiated the first of several significant, town-wide, wastewater management assessment initiatives. The purpose of this first initiative was to determine what additional treatment capacity existed and how it could be managed to meet existing community needs. The primary goal of this effort was to incorporate environmental protection goals and interests while maintaining growth (development) neutrality.

As planning needs and interests of the Town have evolved, Acting Director Cathcart highlighted several different iterations of reviews and re-assessments of the Town's wastewater capacity needs and challenges. Key principles and concepts reviewed by the commission included:

Re-evaluation of Sewer Collection System Expansion. Acting Director Cathcart reminded the commission that the original wastewater study resulted in a Sewer eligibility map that identified areas of Town where sewer could potentially be extended, should economic opportunity and neighborhood interest converge. This conceptual plan was endorsed by the State, in the form of a certified Comprehensive Wastewater Master Plan and locally, in the form of "support" being offered at the 2003 annual Town Meeting. Since that time, only a few designated neighborhoods have reached the nexus of favorable economics and sufficient neighborhood interest to warrant these extensions (these include Phase I designated areas - including sections of Old Bedford Road, Bedford Road, and Phillip Farm Road neighborhoods in East Concord, a limited area near Cousin's Park in West Concord – including sections of Prairie Street, Central Street, and a few very modest extension that required no Town financing/betterments). It was also noted that while major construction has recently been initiated within the Hawthorne Lane and Cambridge Turnpike neighborhoods, the lack of local interest and unfavorable economics meant that sewer was not included into this design.

Update to Sewer Rules and Regulations. Several important revisions made to the sewer rules and regulations were incorporated to ensure that capacity allocated for future sewer system expansion capacity was allocated to serve existing property needs while reducing the risk that it would spur unintended growth in sewered areas. This included limiting parcels with sewer eligibility to

one connection and setting an administrative approval cap of up to 1,000 gallons per day for any new or increased wastewater flow based on the State of Massachusetts Title 5 design criteria. Discussion was held regarding the success and challenges in the implementation of these regulations including allowances for accessory use structures, allowances for larger developments such as Brookside Village where hybrid septic system and municipal sewer connection design had been required prior to approval for increased flow over 1,000 gpd, and providing a concept level approval from the PWC for a small scale affordable housing project that had received support at an annual Town Meeting. The Commission was also reminded of its historic position that larger projects would continue to be reviewed on a case-by-case basis, with the understanding that approval would only be issued when the project had received approval by all other boards and committees. This is a direct acknowledgment that large volumes of wastewater capacity cannot be assigned to projects that may never be realized.

Additional discussion on future growth opportunities included infill impacts anticipated with zoning changes in the Village Districts such as the one under consideration identified as the Thoreau Depot Business District. Acting Director Cathcart noted that wastewater capacity assessments performed back in the late 2000's had already contemplated such potential impacts, but in a very conceptual way. He explained that any actual zoning changes should include a refinement of these demand projections, to benchmark them against previous assumptions.

Commissioner Wallis inquired as to demand management opportunities. It was explained that while the ideal place for demand management controls would be addressed by State plumbing code, CPW has been successful in working with contractors and developers to have them incorporate low water use measures into their project designs (while not mentioned, the Water Division Rules and Regulations call for large developments to perform a Water Impact Assessment which often leads to conditional approvals that require water efficiencies be incorporated into the design).

Over the past twenty years, CPW has done many things to prepare for the Towns future wastewater needs. This has included adoption of demand management tools, reductions and increased management of Inflow & Infiltration activities (including private service replacement policies), advanced hydrogeological assessments performed on two separate groundwater discharge sites (at the WWTP site and former Grace Property), and the inclusion of a formal request for a very modest capacity increase in the NPDES renewal – pending for the WWTP.

One new concept that was introduced by Acting Director Cathcart relates to what the industry is beginning to migrate towards the development of an Integrated Water Resources Management approach. Conceptually, this

approach would allow the Town to address increased wastewater capacity needs by offsetting flow (discharge) and load (pollutant) impacts through other water resource controls. This could include improved stormwater or drinking water management options. While this integrated concept is relatively new, Acting Director Cathcart informed the commission that he had been advocating for this regulatory framework, at the State level, for many years. While there is certainly not a clear path forward, he believes CPW is well positioned to explore such an option. It was also noted that these principles dovetail nicely with the community's interests as they relate to long-range planning and climate resiliency. Concord has identified such an interest in its recently developed Municipal Vulnerability Plan.

Commissioner Wallis inquired as to potential cost benefit issues and opportunities. Acting Director Cathcart acknowledged that this was precisely why such an approach would be merited, to realize increased value in future investments. Commissioner Terry inquired as to potential regional coordination and participation. This concept would need to be explored further during the development of an integrated water management approach.

Over this time, the Sewer Division has also collected a stable fund balance for new or expanded sewer increases through Sewer Improvement Fee assessments. This fund balance is dedicated for work that will increase wastewater capacity that could benefit the entire community. This is the same fund that would be drawn upon should the Town exceed the flow limits of our NPDES – in response to an administrative consent order issued by MassDEP and EPA. The real question would be weather it is best to expend them proactively or reactively.

D-4: Director's Report

- **DPW Worker Memorial** – The American Public Works Association reached out to public works departments across the state to organize a show of solidarity at the funeral held for Tony Ruiz, a Lawrence DPW employee that was killed while on the job. The funeral was held on January 23 in Methuen and Concord Public Works was represented.
- **Cambridge Turnpike Reconstruction Project** – Following the update provided to the Public Works Commission at its last meeting, the Select Board was also briefed on the project. While it was always understood to be a two construction season project, a number of issues including a delay in the completion of the bridge work near Mill Brook Farm, represented a change in schedule that had not otherwise been communicated to interested parties. In response to concerns raised by Hawthorne Lane residents, notably regarding on-going "cut through" traffic issues, a neighborhood meeting was conducted on January 30th to update residents as to project status and communicate that winter work had been scheduled to move the project forward.

- **Complete Streets Grant** – Mass Dept. of Transportation awarded the Town a Complete Streets grant of $399,852 to help fund the construction of significant road and pedestrian improvements on Hubbard Street and Commonwealth Avenue between Church Street and Laws Brook Road as well as an enhanced crosswalk on Sudbury Road.
- **Universal Waste** – Complete Recycling Solutions was called in to assist with clearing out mercury items such as thermostats, fluorescent bulbs and batteries, from the "Mercury Shed". Training for employees handling these products has also been scheduled.
- **Compost Site Activity** – Over the holiday season 220 bags of Styrofoam were collected for recycling (they are made into crown molding). Fourteen bags of old Christmas lights were also collected for recycling. 1,367 Christmas trees were collected and chipped by CPW crew. Superintendent Miklosko mentioned exploring future sustainable approaches to dealing with wood debris such as stockpiling firewood for fuel assistance, or offering wood to craftsmen or to a sawmill.
- **Roadway Maintenance** – Thus far this season we have had 12 winter weather events with a total of 32 inches of snow. We currently are at 87% of the total snow budget, when you factor in the contingency it places us at 68% of the snow fund. Pot hole patching continues as allowed by the weather.
- **Catch Basin Cleaning** – A good deal of this work is also being done as a result of mild weather. One quarter of all catch basins are cleaned each year as required by our MS4 permit. This work is tracked electronically with a tablet as part of our GIS program.
- **Water Resource Education** – Staff visited all fifth grade classes within the Concord Public School system to provide an increase awareness of local water resource issues.
- **Water Main Break – Fairhaven Hill Road -** There was a water main break on Dec. 27, of a six inch cast iron pipe. A new section of six inch cement lined ductile iron pipe and two repair couplings were installed restoring service within five hours.
- **Robinson Well – Route 2A Pump Station** — Maintenance of these facilities has been performed by Water/Sewer crew.
- **Deaconess Water Treatment Plant** – A pump and motor were removed and transported to a vendor for inspection, cleaning and potential repair.
- **Steve Harrington** – Steve retired after almost 32 years of outstanding service to the Town in the Water Sewer Division.

D-5: Commissioner's Comments

None.

D-6: Public Comments

When asked when the Cambridge Turnpike Project will be completed, Acting Director Cathcart responded that the schedule is for substantial completion before next winter. The actual completion date is somewhat dependent upon culvert work that requires coordination with Verizon and relocation of utility poles.

When asked about what type of batteries are collected for recycling by Concord Public Works, Ms. Trout responded that rechargeable batteries of any kind, lithium batteries and button batteries could be recycled.

D-7: Executive Session – Litigation Strategy (Nagog Pond)

Commissioner Terry **MOVED** and Commissioner Boardman **SECONDED** to enter into Executive Session for the purpose of discussing strategy with regard to litigation strategy (relating to Nagog Pond) as an open meeting may have a detrimental effect on the litigating position of the Town. The open session will not reconvene at the end of the Executive Session.

Therefore, in a roll call vote recorded as follows:

Andrew Boardman	Aye
James Terry	Aye
Peter W. Wallis	Aye
K.C. Winslow	Aye

It was unanimously voted to enter into Executive Session and not to reconvene the open session at the end of the Executive Session.

ADJOURNED: 9:00 P.M.

Respectfully submitted,

Anna R. Trout

Anna R. Trout
Administrative & Special Projects Coordinator
Concord Public Works

Approved,

James B. Terry

James Terry
Public Works Commission