

# Hingham Sewer Commission

## Meeting Minutes

March 20, 2018

### **Call to Order:**

The meeting was called to order at 6:36 p.m. in the East Hearing Room, Hingham Town Hall.

### **Commissioners Present:**

Kirk Shilts, Chairman; Robert Higgins and Stephen Harold.

### **Department Personnel & Staff Present:**

Randy Sylvester, DPW Superintendent; Stephen Dempsey, Sewer Supervisor; Liz Welch, DPW Office Administrator and Steven Pederson, Weston & Sampson.

### **Town Officials:**

Kerry Ryan, Town Counsel and Roger Fernandes, Town Engineer.

### **Chairman's Message:**

Dr. Shilts said it was nice to see Mr. Higgins in good health and thanked him for coming to the December meeting to act on matters of timely importance.

### **Agenda:**

The Commission reviewed the posted agenda. Dr. Shilts added the Town Report to the agenda.

**Mr. Higgins made a Motion, seconded by Mr. Harold, to approve the agenda as amended; the Motion passed by unanimous vote.**

### **Executive Session - 9 Ship Street Litigation:**

#### **Thomas F. Patch**

Dr. Shilts stated that the purpose for tonight's executive session is to discuss litigation involving Thomas F. Patch and the Town of Hingham's Board of Sewer Commissioners and Town of Hingham, which is a matter pending in Plymouth Country Superior Court. Dr. Shilts explained that holding this discussion in open session would have a detrimental effect on the litigation position of the Sewer Commission.

Dr. Shilts stated that the Sewer Commission will be reconvening in open session at the conclusion of the executive session, our schedule indicates at approximately 7:00pm.

**Mr. Higgins made a MOTION, seconded by Mr. Harold, to enter into executive session by roll call; the Motion was passed by unanimous vote.**

Roll Call:

Kirk Shilts, Commissioner, Chair      Yes

Robert Higgins, Commissioner        Yes  
Stephen Harold, Commissioner        Yes

Then the Sewer Commission entered into Executive Session.

The Sewer Commission entered back into open session at 7:07pm.

**Bradley Woods Station Discussion:**

The Commission renewed its discussion about the planned sewer main upgrade along the Avalon utility easement that borders the Bradley Woods residential neighborhood. Mr. Harold said that he, Mr. Dempsey, and Mr. Sylvester walked the area last fall to view the site. Mr. Harold said portions of the existing fencing and a shed at 24 Bradley Woods drive are within the easement on Avalon property and unless relocated, would interfere with the construction project.

Atty. Michael Nuesse spoke on behalf of Josh Winslow of 24 Bradley Woods Drive. He said if the fence is moved from where it is now to the actual property line, it will take away Mr. Winslow’s protections from the Avalon property. When asked, Mr. Winslow said he needs protection from noise. Atty. Nuesse asked if it would be possible to move the sewer main and grant Mr. Winslow an additional buffer of five or six feet off his property line. Mr. Sylvester said he spoke with Town counsel about the easement and was told the Commission doesn’t have the ability to grant permission for anyone to use the Hewitt’s Cove Condo Trust (Avalon) land. Only they have the authority to grant use on their property. Mr. Sylvester said the town needs access to the utilities during and after construction, and the easement must be open and wide enough to allow this access.

Dr. Shilts said the project’s plans have already been drawn up and approved. He reiterated the opinion of the site reviewers was that the fence needs to be moved. Mr. Winslow affirmed that he will move his shed. Dr. Shilts went onto explain that moving the location of the sewer main seems impractical and not realistic. He said there are better options to mitigate sound, like installing plantings or new fencing Mr. Winslow could easily install on his own property.

Mr. Winslow provided the Commission with copies of the Zoning Board of Appeals’ May 2003 “Modification to Permit” and the Planning Boards’ May 2007 “Site Plan Approval for the Hingham Shipyard”

**Bradley Woods/ Lincoln Street Sewer Main Projects Update:**

Mr. Pedersen explained that the updated plans and specs are now complete. He said there are three components to the project including a base bid and two bid alternates. He said a goal is to have the same contractor involved in all three projects.

Mr. Pederson said the base bid is the new force main from the Bradley Woods pump station along the Avalon property to route 3A (Lincoln St).

Alternate Bid “A” is the 60 foot section of pipe on route 3A between manholes #7 and #8. He said MA DOT’s permits are set and easements in place.

Alternate Bid “B” is the rerouting of the gravity main at Stoddard’s Neck to the MWRA’s intake manhole. He said this requires DCR and legislative approval under Article 97. Mr. Pedersen suggested we contact Town Counsel as well as our State Representatives and get the process started.

Mr. Pederson said once the bids are returned, the Commission can award the base bid and if enough is the budget, Alternate “A” too. There would be a delay on awarding Alternate “B” because of the financial and/or legislative constraints. He said the documents are being finalized this week. Advertisements will be going in the Central Register, the Patriot Ledger and Combuys on March 28th. Bid opening will take place on April 19th and a notice to proceed should be given out by the end of May.

### **Comprehensive Wastewater Master Plan (CWMP) Update:**

Dr. Shilts said the Commission should have the CWMP on the agenda every quarter. The CWMP must be completed for there to be any type of sewer expansion in Hingham. He said the South Hingham Study Group recently completed their report, including a wastewater section. The South Hingham Study group came up with four different scenarios of what they envision South Hingham could look like in the future. Dr. Shilts believes the CWMP should mention each scenario to cover the possibilities.

Mr. Fernandes discussed the different built-out scenarios. He said the takeaway from the study is that this was more a future planning exercise rather than an in-depth technical analysis. He said managing effluent discharge becomes more difficult with each successive scenario. The report identified projected effluent for scenario #1 at 59,507g/d, #2 at 183,850g/d, #3 at 377,905g/d and #4 at 587,650g/d. Mr. Fernandes said scenario #4 reflects the maximum build-out allowed by zoning which is optimistic and extremely challenging, the CWMP should probably exclude it.

Mr. Fernandes explained the DEP wants a completed CWMP that describes projected flows, where to send it, and a greater level of detail of actual treatment than the draft CWMP had provided five-years ago. He said if we are going to get the CWMP approved, we need to explain what the demand might be, pick a scenario(s) and a discharge location(s). Mr. Fernandes discussed four potential discharge locations identified through work with the Town Administrator and the maximum flow that each site could likely accept. He identified rough estimates, the Dwyer Parcel at 20,000-30,000g/d, Recreational Park Drive at 30,000-40,000g/d, Boston Golf at 100,000-190,000g/d and South Shore Country Club at 600,000-800,000g/d. He said a hydrogeological capacity analysis would be require to confirm these discharge capacities.

Dr. Shilts said the Commission should get more feed-back over the next few months on whether scenario #2 or #3 should be the CWMP’s principle plan.

### **Town Meeting Article “S” Discussion:**

Dr. Shilts said Article “S” at this year’s Town Meeting is about appropriating funds for an MWRA sewer extension permit. The permit is to extend a sewer line to Barnes Wharf, 30 Summer Street, which currently has neither septic or sewer, and to the Hingham Public Library, 66 Leavitt Street, which is currently on septic. He said the Library request could be contentious based on historical sentiment.

Dr. Shilts said he met with Town Administrator Tom Mayo and expressed concern over the Library portion of the Article. He recommended the Commission consider supporting or at least not oppose Article “S”. He said if

there is concern at Town meeting about the Library portion, the Commission could offer an amendment to include just the Barnes Wharf property.

Mr. Higgins said based on discussions with the MWRA, he believes the Commission should oppose Article "S". After discussion, Mr. Higgins said the Commission should not support Article "S" but he was comfortable with having a revised amendment from the Commission for just the Barnes Wharf property. Dr. Shilts read the proposed amendment to Article "S", *"That the Town appropriate \$51,500 from available reserves to be expended at the direction of the Board of Selectmen for the purpose of engineering and associated fees to submit an application to the Massachusetts Water Resources Authority ("MWRA") to obtain a permit for the extension of sewer service to the property located at Barnes Wharf, 30 Summer Street, Hingham, MA."*

**Dr. Shilts made a Motion, seconded by Mr. Higgins, to forward the proposed amendment to Article "S" (above) at Town Meeting on behalf of the Sewer Commission if Town Meeting is not in support of the original Article "S"; the Motion was passed by unanimous vote.**

**Resident Non-District Out of Town Connections Discussion (MWRA Policy #: OP-11):**

Mr. Pedersen explained that MWRA OP.11 Policy is the process to request connection into the MWRA sewer system from properties outside of the MWRA sewer district. The application process includes DEP approval, NPDES permit compliance, sewer use regulations, inflow removal requirement and for larger applicants, a master plan requirement. He said there is a lot of engineering that goes into evaluating outside properties on a case-by-case basis. This policy is available to anyone.

Mr. Higgins explained he spoke to and received an email from Michael Holbrook, Executive Director of the MWRA about Hingham properties hooking into the Weymouth sewer system. He said the Town of Weymouth has let Hingham properties into their system in the past and the MWRA never notified. He said Mr. Holbrook informed him that the MWRA does not want this to happen again and they will not allow any future Hingham connections into Weymouth. Mr. Higgins said this is a verbal understanding.

Dr. Shilts explained that any Weymouth hook-up is covered by the OP.11 Policy and the town of origin has to weigh in on the application. He said for a Hingham property, the process requires letters of approval from the Hingham DPW Director and the Selectmen. Mr. Sylvester said the Commission would also need to approve when the outside connection goes into the Hingham Sewer District.

Dr. Shilts asked Mr. Higgins to draft a letter to the Town of Weymouth regarding our concern about illegal connections from Hingham properties into Weymouth and the MWRA OP.11 policy requirements.

**Regulations Update/ Private Sewer Collection Systems Discussion:**

Dr. Shilts would like to replace the proposed draft Sewer Rules and Regulations update that is on our website with a revised draft which contains the new section on Private Sewer Collection Systems. Mr. Sylvester suggested they first be sent to Town Counsel before posting.

**DPW Superintendent/ Sewer Supervisor Reports:**

Mr. Sylvester provided copies of a "Sewer Commission" Town Report and a "Sewer Commissioner's Message" which will be in the Town Report. He said instead of combining the policy information written by chairman

Shilts with the operations information he wrote into one lengthy report, he thought two reports would be better.

Mr. Dempsey reported that there were high flow volumes reported at pump stations during the recent storms but no surcharges. He feels the infrastructure changes done over the past five or six years is starting to pay off. He said we took a pounding but we weren't bubbling in the street.

Mr. Sylvester reported that Town Pier Station, which is a seasonal boat pump out station, was flooded. The guts of the station were lost. Repair estimates range from between \$10,000 to \$30,000. He said the Commission has a couple of options. An expensive redesign rebuild is one option, but if the wharf is going to be done over he suggested it's not worth it. A second option would be to put in another inexpensive station to get another 5 years. Mr. Dempsey's said we could also abandon the station until we figure something out. Mr. Sylvester said abandonment could pose a problem because of Phase II Stormwater and NEPDES permit commitments.

Mr. Sylvester stated that Hull had a 30% increase in fees it charges Hingham instead of 15% he budgeted. Mr. Sylvester said he asked for documentation on how Hull came up with such a large increase, but has not received information yet. Mr. Sylvester also reported the Intermunicipal Sewer Agreement (IMA) with Hull is for 25-years and not 30. He said the Commission should begin thinking about the parameters of a new agreement within 3-years.

#### **Sewer Abatements:**

The Sewer Commission reviewed sewer bill abatements from residents of 38 Otis Hill Road, 10 Ringbolt Road, 36B Thaxter Street and 18 Franklin Rogers Road.

**Mr. Harold made a Motion, seconded by Mr. Higgins to approve the submitted abatements for 38 Otis Hill Road for \$1,970.70, 10 Ringbolt Road for \$594.00, 36B Thaxter Street for \$247.50 and 18 Franklin Rodgers Road for \$326.70; the Motion was passed by unanimous vote.**

#### **Scheduling:**

The next meeting of the Commission will be held on April 10, 2017 at 6:30 p.m.

The meeting adjourned at 9:21 p.m.

*Respectfully submitted,*  
Liz Welch,  
DPW Office Administrator

*Documents reviewed during public meeting:*

- *Meeting agenda 3/20/18*
- *Draft minutes 12/5/17*
- *South Hingham Study Group Final Report, November 2017*
- *Map from Roger Fernandes, undated*

- *Article "S", Funds for MWRA Sewer Extension Permit, 2/15/18*
- *MWRA Policy#: OP.11, Admission of New Community to MWRA Sewer System and other Requests for Sewer Service to Locations Outside MWRA Sewer Service Area, 4/17/17*
- *Email correspondences RE: 88 Manatee Road Hingham, MA, 1/18/18*
- *Draft Sewer Rules and Regulations with suggested changes, Shilts, 3/20/18*
- *2017 Town Report, Sewer Commission*
- *2017 Town Report, Sewer Commissioner's Message*