

MINUTES
MILLIS DRINKING WATER COMMITTEE
OCTOBER 29, 2015 6:30 PM
ROOM 229 900 MAIN ST. MILLIS MA 02054

ATTENDING:

Craig Schultze
Kathleen Lannon
James McKay
James McCaffrey
Charles Aspinwall

Barbara Thissell
Lisa Hardin
Betsy Frederick
Eric Las
Thomas Mahanna

Mr. McCaffrey called the meeting to order at 6:30 PM. He asked Mr. Aspinwall to summarize the meeting held on October 26, 2015 with officials from Medway, Franklin, DEP and Exelon.

Mr. Aspinwall stated that Millis, Medway, Franklin, DEP and Exelon met to discuss water management act permitting issues and demand forecasting associated with selling water to Exelon & Franklin.

Exelon is seeking 43,000 GPD on avg from Millis, with an additional 10% buffer and the ability to purchase up to 192,000 gpd if their well goes down. One of the provisions of our existing permit that has not been discussed is the baseline pumping amount set at 840,000 GPD. Our permits allow us to pump up to 990,000 GPD. However, if we go above baseline of 840K GPD then we have to institute mitigation measures as suggested in our permit to offset the impact of pumping above 840K on the environment. Mitigation includes measures like stormwater recharge, low impact development bylaws, land clearing bylaws, water banking, & sewer banking. Kleinfelder has now been asked to include a task in the contract to examine mitigation issues. Our avg day is 630,000 GPD. Existing permitted and planned development is 209,000 based on title V flow (which is a high estimate). So, we should be prepared to ask Exelon to address the mitigation issue.

Exelon has again expressed a desire to have some of the data from this effort prepared ASAP so they have it for their December hearings at the Energy Facilities Siting Board. We could knock out three weeks of waiting since the Town Administrator can sign the contract as there is no cost to the town to perform this work – it's being paid by Exelon.

Mr. McCaffrey pointed out that selling water to adjoining communities is common in the state; we are not marching into new territory. He asked Ms. Fredericks to address the committee on the mitigation issue.

Ms. Fredericks said that the baseline limit was a mathematical amount set at a point in time by the USGS. There are volumetric and qualitative means of performing mitigation if it's required.

Mr. McCaffrey asked Mr. Las to address the numbers as they have changed throughout the process. Mr. Las, representing Exelon, responded that they need 95,000 GPD on average and 192,000 GPD peak to satisfy their needs. Peak use time is in the winter. The 95K amount would be satisfied by their own well at 43K GPD from Millis and 52K GPD from their own well, all subject to the feasibility study's findings. Ms. Hardin asked for an explanation of the 192K GPD number. Mr. Las responded that they would need that amount if for some reason their well went down during peak use in the winter.

Mr. McCaffrey said that the DEP, while not expressing an approval of the sale of water was not bringing up any flags; they in fact initiated the meeting and offered their assistance with the matter.

Mr. McCaffrey asked Mr. Las if Exelon had approved the additional Mitigation Scope, which had nearly doubled the Kleinfelder contract cost. Mr. Las responded that Exelon had approved the expanded scope.

Mr. McKay said that he was disappointed that the amount of gallons to be purchased had been severely reduced and wondered if it would yield a reasonable amount of revenue to cover our increased costs. Mr. Schultze indicated that the study would answer those questions. Ms. Fredericks said that additional work outside of the scope would be needed to answer all operational issues.

Ms. Lannon asked where was the water was discharged? Mr. Las responded that 95% of the site stormwater was discharged onsite but that most of the process water evaporates. Ms. Lannon asked if trucking was considered. Mr. Las said yes but only as a backup position.

Mr. Mahanna inquired about the well test program, on the Exelon property. Mr. Las responded that the test well program was a DEP permitted project and showed no drawdown at the river. Mr. McCaffrey asked him if the scope met our needs and Mr. Mahanna confirmed that it did.

Mr. McCaffrey pointed out that there were two contracts to sign; one for the scope of work and one three party agreement. He pointed out that if Exelon paid Kleinfelder directly that the Town Administrator could sign the contract with payments going directly from Exelon to Kleinfelder. Otherwise the Board of Selectmen would have to approve the contract and it could not do so until November 16th. He noted the time sensitivity of Exelon's work and that they needed some of the report information for their Energy

Facility Siting Board hearings in December. He asked for a sense of the Committee whether the town should pay Kleinfelder or should Exelon. Mr. Schultze said that we should work with Exelon to help them get their needed information in time for their hearings; provided that Counsel has reviewed the contract. Mr. Aspinwall responded that Counsel had reviewed the contract.

Mr. Las said he was wondering if the peer review could be limited to the first two tasks in the contract, with the peer review of mitigation coming later. Mr. Aspinwall responded that the issue of Mitigation needs to be studied at this point in the process as it could affect the town's willingness to proceed with a further study of design phase. Mr. McCaffrey asked Mr. Las to consider that Exelon had made the request that we use Kleinfelder and not an engineer of our own, which led to us asking for the peer review. Mr. Las said that this request was not a deal breaker and saw that the committee was uncomfortable with that approach and would not push it.

Mr. Schultze made a motion to recommend the scope of work and that the Town Administrator sign the contract and that Kleinfelder proceed with the stud, seconded by Ms. Lannon, vote 5-0 in favor.

Mr. McCaffrey said that the other part of the meeting dealt with Franklin's request to purchase 300,000 GPD. Again, the DEP did not raise red flags with the amounts requested. Mr. Aspinwall pointed out that it was clear that Franklin would have to conduct a study similar to what Exelon was now conducting before Millis could consider such a sale.

Mr. McKay left the room to go to the Community Preservation Committee meeting.

Mr. Schultze made a motion to adjourn at 7:34 PM, seconded by Ms. Lannon, vote 4-0 in favor

Respectfully submitted,

Charles J. Aspinwall