

ORLEANS TOWN CLERK

K. Darby, Asst  
'13 SEP 17 3:57PM

## ORLEANS, BREWSTER, EASTHAM GROUNDWATER PROTECTION DISTRICT

### BOARD OF MANAGERS MEETING

AUGUST 28, 2013

**Board of Managers Present:** John Kelly, Chairman, Orleans; Martin McDonald, Eastham.

**Others Present:** Jay Burgess, Chief Operator; Steve Brito, Assistant Chief Operator; Cyndi Bachman, District Secretary; Beverly Carney, Orleans resident; Tom Daly, Orleans DPW Director; Ron Collins, Orleans Facilities Director; Joe Uglevich, Stantec; Steve Calabro, Stantec; Garry McCarthy, Stantec.

1. Meeting called to order at 10:00 a.m..

2. **Tri-Town Decommissioning Study:**

- John Kelly stated he and Martin McDonald thought it would be good to have a kick-off meeting this morning regarding decommissioning Tri-Town. He asked everyone to introduce themselves. The Board of Managers will meet with the three towns Boards of Selectmen sometime in October. He asked the Stantec representatives on how the Board should progress and how can the Board help them.
- Garry McCarthy handed out their Kick-Off Meeting Agenda to the Board of Managers. He asked Jay for a copy of the plants' plans for the original facility, as well as a copy of the plans for the upgrade. He also asked for some water quality information, data on the water level depth, monitoring wells, and inventory of salvage materials.
- Jay stated there is an equipment list but there are no values on the list.
- John Kelly stated there is a list of items of the plant covered by MIIA Insurance, and suggested giving a copy of that list to Stantec.
- Joe Uglevich asked for a copy of the O&M Manual.
- Garry McCarthy stated they will take the existing drawings and use them for the next step of the project. We have employees in our group who are specialists in environmental permitting.

- John Kelly stated Orleans went through the MEPA review process and that is when they noted the box turtle habitat, and can provide you with that information. If you increase an existing facility by greater than 10,000 square feet, you are entitled to a DRI. I don't know if you are subject to a DRI if you are demolishing an existing facility and you are not immediately rebuilding. We have a DRI approval for re-use of this site to build a treatment plant. They already reviewed our CWMP and we did a combined review of MEPA and DRI at the same time. We can look to see in our DRI approval what requirement there may have been as far as demolition.
- Martin McDonald stated you need to review the Cape Cod Commission requirements to see if you think this applies, and see if we need to notify MEPA. I think when Cape Cod Commission comes in, then MEPA automatically comes in as well.
- John Kelly stated because we already applied to use this site as Orleans Wastewater Planning, efforts by both of those agencies have already been involved.
- Martin McDonald stated Brian Dudley of DEP gave the Board of Managers a list of information and what we plan to do with the plant.
- John Kelly stated DEP does not have an official decommissioning process and the Board should submit a plan to their office for approval, including identification and plan for removal of any underground storage tanks, identification and plan for removal for chemical waste, identification and plan for removal of lab equipment, overall demolition plan, disposal of RBC's and other sewage contact equipment, plan for site rehab, and compatibility with Orleans plans for wastewater treatment facility.
- Garry McCarthy stated there needs to be an inventory of equipment to establish a salvage plan; identifying manufacturers for all the major pieces of equipment. Those manufacturers may be able to share with us their client lists for purchasing the equipment for spares or parts. There will be a day when the plant stops accepting flow and the contents of the plant will need to be processed properly. At a certain point, there will be no more liquid and the solids will have to be vactored out to proper places for disposal, converting the plant from an operating wastewater plant to a construction site. We will identify the major steps we need to consider.
- Jay stated it would take approximately six weeks to empty the plant. The cost for vactoring the tanks is between \$6,000 and \$10,000 a day, and would probably take two days. You also have to do testing and get permission from the landfill site for disposal of the material. If the results are unfavorable, you have to make them favorable, or find another disposal site.
- Garry McCarthy stated it seems like it would be a one to two month process to make that conversion from operating the plant to a construction site.

- Martin McDonald stated the permitting schedule is very important and we need to get that permitting schedule together as soon as possible.
- Garry McCarthy stated we will provide a project timeline and it will encompass from today until the day the plant is decommissioned.
- John Kelly stated right now we need to work backwards. The IMA expires on May 30, 2015. Working backwards from that scenario, it would be important for the towns planning to understand each of the phases, and give that schedule to each of the towns Boards of Selectmen.
- Martin McDonald stated he thinks it is important that you don't try to fit the schedule to the timeline. You need a realistic schedule so that we can make decisions around that.
- John Kelly stated Orleans will have a Special Town Meeting in the Fall.
- Martin McDonald stated even if we got the initial monies from the May Town Meeting to get it started, we will need an estimate for the whole project.
- John Kelly stated they should have enough preliminary information available for May including what the design fee would be, and the estimated demolition project costs would be. Then the voters would know that there would be a Special town meeting in the Fall to consider the second part.
- Tom Daly stated appropriate money in May that would be available immediately for engineering, and schedule a Special meeting in the Fall to extend the terms of the IMA.
- Garry McCarthy stated in their report there will be a narrative section with their recommended plan, a Special town meeting of May 2014 for engineering fees for design, and a Special town meeting in October 2014 for construction and demolition funding. We will give our preliminary estimates of what the project cost will be.
- Steve Calabro asked if there are any funds that could be used for the design phase to get started from Tri-Town?
- John Kelly stated we need to understand what the numbers are to figure out how we fund it. If you are appropriating cash by the town, it has to be available, and we need to know what the numbers are.
- Garry McCarthy stated they will identify some of the demolition issues. There are some very deep tankage in this facility and tons of concrete that will require deep excavation and removal activity.
- Steve Brito asked if the plant will actually be closed six months prior to May 30, 2015?
- Joe Uglevich stated it will be all weather related.

- Jay stated I don't know what your plans are for the compost building, but you have two issues: the power for that building is supplied by the plant by a 480 line down to the building and there is a transformer separating it. There is also a big drainage issue down there. Every time it rains that building floods and there are 480 pumps down there that pump that back up to our primary's here at the plant. So if you are going to keep that building you are going to have to do something to get the drainage going somewhere.
- John Kelly stated Orleans would like, as an addendum to the demolition contract, to remove the compost building as well, and Orleans would like to understand what would be involved in removing that building.
- Jay stated the monitoring well pumps are also powered so there would have to be some type of power left over.
- Garry McCarthy stated there is a power line that is about 480 volt coming into the plant and a transformer that feeds the building. We would help develop a budget and timeline for town meeting. Our plan is to compile all of that into an action plan.
- Jay stated there is also a 500 gallon tank at the compost building.
- John Kelly stated for the October meeting he would like to have a preliminary time line and some preliminary costs so that we can get the Boards to look at it.

### 3. Chief Operator Updates – Jay Burgess:

- **Haulers** – Jay stated the haulers are under the impression that since the previous town meeting vote failed, the plant is going to stay open until May 30, 2015. During the last few Board of Managers Meeting, we were told the plant would be closing May 30, 2015, to February 2015, and now being told perhaps closing September 2014.
- John Kelly stated that until we have a timeline, we can't give out that information. If the Boards are unable to agree on the timeline, then they are going to have to agree on an extension of the IMA.
- Jay stated, where does that leave the District employees? I have some employees looking for work, and some that are not looking for work because they think they are working until May 2015.
- John Kelly stated the Board would sit down with the staff at the October meeting for discussion.

- Martin McDonald stated people retire from the towns all the time and we should have resumes of the plant employees who are interested. Ideally, if we know someone is going to retire in town, we would certainly consider people from the plant first if they were interested. If an employee from the plant knew they had a job waiting in Brewster when they finished their employment here, they may not want to look for another job and be happy to stay here until it closes.
- Jay stated the reality is the town jobs have to be posted and advertised. I have told my staff that we had jobs until May 30, 2015, then I had to tell them after the last meeting it was February 2015, and now this meeting I have to tell them September 2014.
- Martin McDonald stated September 2014 doesn't seem practical to me.
- John Kelly stated today we were just trying to get an idea of what is the timeline. Until we see things in writing the closing date is May 30, 2015 which is the end of the IMA.
- Jay stated a few of the employees are within two or three years of their maximum retirement benefits, so this is pretty much shocking to them. There is not going to be another job available at the top of their step chart.
- Tom Daly stated it is in Tri-Town's best interest to keep staff working into this decommissioning process as far as possible because there is value added to the staff that is here, and value added in costs. It is more economical to have staff here do all of the decommissioning work as possible.
- Jay stated, who is going to pay for it? Our revenue is broken when the haulers stop coming into the plant.
- Tom Daly stated that is a scenario to discuss. I respect where you and your staff are in this situation. The only thing certain now is May 2015.
- Jay stated he is surprised at the aggressive schedule taking place to close the plant. There is going to be a parade of people applying for jobs for the demolition of Tri-Town. From the standpoint of the plant, we have been the Step-Child of the three towns. From my employees standpoint, I am seeing the mood swings, they are not sleeping, etc.. The employees have been checking the town websites for employment and they are not seeing any job openings.
- Beverly Carney asked if there could be an employee severance or employee retention bonus for the people who work at the plant?
- John Kelly stated the three Board of Managers have to go back and report back to their Selectmen. He stated the Board knows what the District's bank account is, and that is going to be very important once the flow does stop, and how far does that bank account go to keeping the doors open, and keeping the staff employed as long as possible. In addition to that, the towns are going to have to address the post employment issues with respect to health insurance to those individuals that we hire.

- Jay stated there currently are four employees eligible to retire, and I personally will retire.
  - Cyndi Bachman stated she needs employment.
  - Beverly Carney asked if Stantec's proposal is \$7,200 -vs- the \$7,800 previously stated at the last Board meeting.
  - John Kelly stated the proposal is \$7,200. When they deliver the report, they will give the District and invoice.
4. A motion was made by Martin McDonald to adjourn the meeting at 11:50 a.m..  
This motion was seconded by John Kelly and unanimously approved and passed.

Respectfully submitted,



Cyndi Bachman  
District Secretary

9am' or 10am'  
no Brown Manager

BoM

Citizen's Forum? not on agenda 28 Aug 2013

Dev Carney stakeholder of sorts - I live + pay taxes to Orleans  
Don't believe decommissioning is financially, environmentally,  
technically, politically, or legally responsible <sup>but I want a safe + orderly PR</sup> ~~at this point~~

2 weeks ago  
\$7,500 allocated / STANT EC's fee \$7,200 where's the \$300 of maintenance revenues

w/in STANT EC's "project report" no mention of Acornwick, Chatham,  
Dennis, or others (13% of last year's flow) under multiple  
communities w/in the current service area?

For field work STANT EC's is not <sup>assigning</sup> ~~sending~~ trained, licensed & insured  
workers to this operational bio hazardous waste utility?

No timeline for action + final "Plan" presentation / no guarantee  
of a compatibility assessment without <sup>plan</sup> ~~team~~ D-WWTF?

Implied commitment of overworked & unpaid staff as resource  
Contacts, managers & supervisors? <sup>will the District be retentive</sup> ~~paying~~ Severance or employee <sup>retention</sup> costs

What happens if Cyndi can't prepare AND distribute  
minutes w/in 2 days <sup>business</sup> to all stakeholders? / <sup>contract</sup> ~~is~~ STANT EC's involved

Would any Manager's Town Hall broadcast and archive  
meetings so they can be reviewed and monitored?

To claim, as the BoM's chair has, that 10% of decommissioning  
is complete this date is a gross miscalculation...

bc

\* Contracts w/in O-BoS "packets" @ Orleans, Mass  
<sup>Boards + Committee</sup> under BoS 8-28-13 <sup>on Friday</sup> meeting 6:30pm