

**MINUTES OF THE TOWN COUNCIL
PUBLIC WORKS COMMITTEE
Town Hall Council Chambers
January 24, 2011**

Present: Ed Harrington, Chairman
Arthur Mathews
Michael Smart

Not Present: Kenneth DiFazio, Vice-Chairman
Victor Pap

Also Present: Michael Chiasson, Acting Director, DPW

Recording Secretary: Mary Barker

Chairman Harrington called the meeting to order at 7:00 PM.

Review and Discussion of questions posed at the Town Council meeting of January 3, 2011--regarding Southfield water/sewerage and associated issues

Mayor Susan Kay requested Michael Chiasson, Acting Director of the DPW, to speak to the first three items. The remainder of items are addressed in her written response to the committee (questions and answers attached hereto). The ten questions were posed by Dominic Galluzzo at the January 3, 2011 Town Council Meeting and forwarded by the Council to the Mayor's office. Chairman Harrington provided the committee and audience with copies of the Mayor's response.

Michael Chiasson was invited to the table to respond to the first three questions:

- 1. Why do Weymouth officials have to be told to develop and adhere to a Whitman's Pond/Herring Run protective water management plan before the summer of 2011?*

Mr. Chiasson responded that back in December, town and state officials met to discuss restoration and weed harvesting of Whitman's Pond. The meeting was initiated by Mary Ellen Schloss, Conservation Administrator. During the meeting, many ideas were discussed regarding weed harvesting and long term restoration, but at no time was a deadline set, nor did the state impose a deadline to come up with a plan.

Councilor Mathews noted he was also at that meeting, and long term clean-up was discussed, but also does not recall any mandate imposed. He then asked Mr. Chiasson if either DEP, EPA, or any other state, federal or local department has ever mandated that the DPW come up with a management plan for Whitman's Pond. Mr. Chiasson

responded, “No.” The Water Department has an overall water management plan in place that includes Whitman’s Pond, but only for water management purposes.

2. *If the town and its consultants claim to be using only 66% of the estimated Safe Yield, why are we draining Whitman’s Pond dry?*

Mr. Chiasson responded that in 2010 the average daily water production was 4.05 million gallons, or about 65% of the daily safe yield. When the safe yield was calculated, the main body of Whitman’s Pond was taken into account. The model includes pumping out of South Cove but the approach taken was that water from South Cove was only transferred to Great Pond if the seasonal stream flows that need to pass over the dam of Whitman’s Pond were met. The model takes into account Whitman’s Pond by not pumping from South Cove during drought situations. Whitman’s Pond is dependent on precipitation and during the months of June and July the water levels decreased. Less than one inch of rainfall fell in June and July combined. It is plentiful now. Based on safe yield, we are not causing Whitman’s Pond to drain to dangerous levels.

Councilor Mathews noted that the Council was concerned and raised and appropriated \$600,000 to fund repairs to the sluice gate on Washington Street, due to erosion. Once it is repaired, it should help the main body. Once it is fixed, he is concerned with how much water can be pumped out of South Cove. He asked the status of the work. Mr. Chiasson responded that the design is complete and Mass Highway will complete the construction. It will require an Order of Conditions first from the Conservation Commission and is scheduled on their agenda for Wednesday, January 26, 2011. Once permitting is in place, the work can be undertaken. The actual design for the repair is complete. The construction must accommodate the herring and has a two month window for completion by September 1st.

Councilor Smart asked if the bodies of water will be two separate entities once the gate is repaired. Mr. Chiasson responded, “Yes.” Any reduction in water level in Whitman’s Pond would be as a result of lack of precipitation. Councilor Smart asked if there could be a scenario where the South Cove water level could be lower than the main pond. Councilor Mathews noted that this occurred when he was younger and the variation was clearly evident.

Chairman Harrington asked what other outlets are available. Mr. Chiasson noted in heavy rains the gate is opened and water drains to the main pond. Chairman Harrington asked what the safe yield is. Mr. Chiasson responded that the safe yield is 6.27 million gallons. Chairman Harrington asked how close the town has ever come to using the safe yield. Mr. Chiasson responded that the town is only registered and permitted to use 5 million gallons per day. The town would need to request new permitting to use above the 5 million gallons, in addition to proving sufficient cause.

3. *Where is the water to satisfy just the uncertainty represented by the 10% variance created by two reports?*

Mr. Chiasson responded that the town has two water treatment plants. (Councilor Mathews noted the two reports; one by Environmental Partners, funded by the town and one by E², which is the nonprofit consultant firm Mr. Galluzzo is associated with and was funded through a grant to Weymouth, Rockland and Abington.) Mr. Galluzzo noted that there is a 10% variance between these two reports. He further questioned the ability of the town to sell water without a concise usage of volume.

Chairman Harrington asked Mr. Chiasson to explain the 10% variance. Mr. Chiasson responded that in 2007, 90% of the town's water was derived from the pond and 10% drawn from the wells. In 2008-2010, wells were used more, and reduced the use from the pond, to an 80% pond /20% well draw, based on annual statistical reports submitted by the town to DEP.

Chairman Harrington asked for an explanation of where the well is drawn. Mr. Chiasson responded that Libby Parkway is an underground well drawn from Old Swamp River. The other four wells surround the Mill River Basin-- opposite the DPW plant on Winter Street. In 2008, the decision was made to increase well use to maintain a buffer in the pond. Chairman Harrington asked if there is a safe yield number attached to the wells, and how it is determined. Mr. Chiasson noted the last safe yield study was for Great Pond water, which includes Great Pond, South Cove, and Whitman's Pond. That number is 3.63 million gallons. If this is deducted from the total safe yield, then that amount is considered the safe yield for the wells. Well use is also limited to the amount of time the water plant runs. The plant runs one shift manned, one shift monitored. Due to the drought last summer, the plant ran three shifts to make up for the extra water. Councilor Mathews noted that when the Consent Order was signed in 1999, one of the conditions attached was a mandate to locate alternative sources of drinking water, and included reactivating the Libby Street well. These were implemented in 2000 by the former Mayor to increase the safe yield.

Mr. Galluzzo noted that Mill River feeds Whitman's Pond, so if the town is pumping from Mill River, it is interrupting the natural flow of water from Mill River into the pond. The wells are located in close proximity to Whitman's Pond, so pumping from the wells affects Whitman's Pond. Safe yield is explained as either a model or estimate; neither is an exact science. The new numbers on the table are being manipulated. 10% is nothing more than an area of uncertainty between the two reports and has nothing to do with pumping from Great Pond. The reason the town pumps from Great Pond is because the DEP had mandated the town cannot go below a certain level. It's strange that in 2010, every surrounding town was under water bans, with the exception of Weymouth. If the town had a water ban, the water agreement signed in October would have been in jeopardy. The town is registered for 5 million gallons, and in the last year and a half, Southfield received 3 million gallons of water. Mr. Galluzzo believes that every time the town daylightes the water in the pond it changes the character of the pond. The weeds don't grow if they're not covered with water. Councilor Mathews disputed that statement.

Chairman Harrington noted that this is probably one of several meetings this subject will

require. He wishes to keep to the specific item on the agenda. He then read the remaining questions and the Mayor's response. Below are any additional comments made during the discussion of these items:

4. Councilor Mathews noted that he looks forward to the day when the sluice gate repairs are complete in order to be able to account fully for the water use.
5. Councilor Mathews noted that the Town Council as a body of elected officials has not signed any documents or agreements with LNR, nor could it as he interprets the Charter, Section 5-3 (which he read for everyone's benefit).
6. Councilor Mathews noted that anything beyond phase 1 will require additional permitting and infrastructure to Weymouth's system and he would not support it. Jim Cunningham noted that he was under the impression that infrastructure to support the base is not the responsibility of the base but the town. Councilor Smart responded that the enabling legislation clearly indicates that the town is not responsible for the infrastructure improvements beyond phase I and IA. Councilor Mathews noted in addition, that mitigation fees will be required and he believes they will need to pay a higher premium than Weymouth residents.

7. No comments.

8. No comments. Mr. Galluzzo noted that the MWRA will have an issue with the town accepting flow from a non-member system through its equipment. Councilor Mathews stated that decades ago municipalities were awarded grants by the state in order to have their infrastructure hooked-up to sewerage. Prior to this, homeowners had their sewerage go through septic tanks and cesspools.

Councilor Mathews stated that the Town Council does not have jurisdiction over an agreement signed by a current or former Mayor and Tri-Town Development, nor is it able to speculate on what the MWRA's position will be; the position of the town will be to continue to comply with the Consent Order.

9. Mr. Galluzzo noted that Tri-Town/LNR might be the beneficiary of the \$43 million from the transfer of land by the Navy. Councilor Mathews noted that the Council has requested SSTDC attend a March Council meeting to provide an update of the land transfer. Councilor Smart noted the land should have been transferred back to the towns at no cost. If Tri-Town has to pay for the land transfer, it will need to borrow the funds, which will result in less money available to Weymouth when and if there is a surplus. Mr. Galluzzo noted that Tri-Town/LNR signed an agreement with the Navy. The process was accelerated in order to facilitate clean-up of the property; the Navy would have taken too long to complete them.
10. Councilor Mathews noted that the Town Council has not received a request for sponsorship of legislation from any constituent, the Town of Weymouth or any

official at the state or federal level. With that, he asked Mr. Galluzzo to explain. Mr. Galluzzo responded that it was presented as a request at the January 3, 2011 meeting. He is unfamiliar with the process but his group is willing to get something together. The genesis of the request comes from the contamination report from Cambridge Environmental in which they recommended that any development of land that the town will purchase from the Navy must show in the deed requirements the status of contamination, but they are not required to disclose what is on the surrounding land. He requested that the Council review the development of the town of Bellingham which has development on contaminated land. The general public was not informed of what they were purchasing at the time. He does not want to see purchasers at the development on the base unaware of potential contamination and is willing to aide in getting legislation passed that closes this loophole. Chairman Harrington noted that Mr. Galluzzo can do this on his own. Mr. Galluzzo requested that the Town Council get involved. Councilor Mathews also recommended Mr. Galluzzo multi-task and involve his state and federal representation. Councilor Mathews will review the report first from Cambridge Environmental.

Mr. Galluzzo asked that the committee once again review the answer to the third question; however, Mr. Chiasson was not in attendance any longer. Councilor Mathews believes that the question was interpreted differently. Mr. Galluzzo will follow up with the town. He is disappointed that the Mayor was not in attendance at this meeting.

Adjournment

At 8:15 PM, there being no further business, a motion was made by Councilor Mathews to adjourn, seconded by Councilor Smart and unanimously voted.

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Chairman Ed Harrington