

**SHARON WATER MANAGEMENT ADVISORY COMMITTEE (WMAC)
MEETING MINUTES FOR March 10, 2005**

Prepared by Paul Lauenstein

Present at meeting:

WMAC Chairman Michael Birschbach; WMAC members Lealdon Langley, Paul Lauenstein, Richard Mandell, Rory McGregor, Mike Sherman, Jack Sulik and Cliff Towner; Selectman David Grasfield, and Conservation Agent Greg Meister

Summary of Minutes for the 3/10/05 WMAC Meeting

- 1. Minutes of February 10 approved**
- 2. Pumping, tank level and water table data**
- 3. Discussion of the MWRA hearing regarding emergency backup**
- 4. Update on new well sites**
- 5. Changes to the March 10 agenda**
- 6. Date for joint meeting with Selectmen**
- 7. Presentation of Water Dept. FY '06 budget to the Finance Committee**
- 8. Report from the Water Conservation Subcommittee**
- 9. Upcoming events**
- 10. Update on new well sites**
- 11. Next meeting scheduled for Thursday, April 7, 2005 at 7:30 PM**
 - To be a joint meeting with the Selectmen and Ben Puritz

Detailed Minutes for the 3/10/05 WMAC Meeting

- 1. Minutes of February 10 were approved unanimously.**
- 2. Pumping, tank level, nitrate concentration and water table data**

Michael Birschbach passed out well pumping, tank level, nitrate concentration and water table data provided for the WMAC by Eric Hooper.

3. Discussion of the MWRA hearing regarding emergency backup

WMAC members Mike Sherman and Paul Lauenstein attended a meeting between MWRA officials and representatives of the Town of Sharon at MWRA headquarters in Charlestown on March 2, 2005. Also present were Eric Hooper and Dave Masciarelli of the Sharon Water Department, Paul Millett of Watermark Environmental, and six representatives of MWRA.

Michael Birschbach handed out copies of a memo from Paul Millett of Watermark Environmental, a consultant hired by the Sharon Water Department. The memo, addressed to Eric Hooper, Dave Masciarelli and the Town of Sharon, said the purpose of the meeting was “to discuss the process that Sharon would have to follow to connect on an emergency basis or on a permanent basis to the MWRA’s system.”

Michael Birschbach commented that it would be difficult to discuss the MWRA meeting in the absence of Eric Hooper. He said he had communicated to Eric Hooper that the WMAC needs Eric Hooper to be present at its meetings.

Mike Sherman’s account of the MWRA meeting

Mike Sherman described the proceedings in detail. He said MWRA Policy and Planning Manager Pam Heidell moderated the meeting. After the introductions, Eric Hooper began the meeting by complaining that unauthorized persons representing themselves as Town of Sharon officials had contacted the MWRA. No “unauthorized persons” were named but the implication was that WMAC members had made the contacts. Eric Hooper provided no specifics about the subject matter or content of communication but registered a general objection to any communication unauthorized by him. Eric Hooper made it clear that he expected all communication with MWRA having to do with Sharon’s water supply to be routed through him.

Mike Sherman said MWRA staff informed Eric Hooper that citizens are entitled to call MWRA and say or ask whatever they wish. MWRA has a public information officer on staff to field calls from the public. At the MWRA meeting on March 2 neither Mike Sherman nor Paul Lauenstein made any comment or acknowledgement on this subject, but at the March 10 WMAC meeting Mike Sherman said he thought Eric Hooper’s objections to WMAC members calling the MWRA for information were entirely inappropriate.

Mike Sherman said Eric Hooper presented three possible reasons for Sharon to connect to MWRA:

- a short-term emergency, such as a fire
- a longer-term emergency, such as a tank or well(s) off-line
- a permanent need for supplementary water

Mike Sherman reported that he stated at the MWRA meeting that the WMAC is only interested in providing Sharon with standby emergency backup, not with supplementary water. Mike Sherman said that Eric Hooper disagreed with him, asserting that Sharon would probably need supplementary MWRA water within seven to ten years. Eric Hooper informed those at the MWRA meeting that Sharon is operating near its sustainable limit, and may need to import supplementary water from MWRA at some point within the next decade. Mike Sherman commented to the MWRA that there was a difference of opinion between Eric Hooper and the WMAC regarding Sharon's emergency backup policy, and that Mike Sherman's objective was solely to learn about the MWRA's policies and requirements regarding an emergency backup connection to Stoughton.

Michael Birschbach asked Selectman David Grasfield if Eric Hooper had been directed by the Board of Selectman to investigate the possibility of obtaining supplementary water from the MWRA.

David Grasfield said Eric Hooper had not been so directed by the Selectmen.

Mike Sherman said that there had been a disagreement at the February 10 WMAC meeting regarding the relevance of MWRA's Operating Policy #5 (OP-5) to establishing a connection to the MWRA for the purpose of emergency backup. Mike Sherman said the main purpose of the meeting with the MWRA was to clarify what, if any, relevance OP-5 has with respect to establishing an emergency connection to MWRA.

Mike Sherman said that even though Stoughton's water is a blend of internally generated Stoughton well water and imported MWRA water, the MWRA regards any water transferred from Stoughton to Sharon as MWRA water.

Mike Sherman said that MWRA encouraged Sharon to establish a permanent connection to Stoughton for the purpose of emergency backup. He said that a written agreement between Stoughton and Sharon would be needed in order to establish such a connection, but that MWRA would not be party to the agreement. MWRA's involvement would be limited to providing technical assistance if requested, and to assuring a reasonable markup on any water sold to Sharon.

Mike Sherman said that MWRA's OP-5 only takes effect if Sharon actually uses the emergency connection to import MWRA water. He added that when a water emergency occurs, the MWRA allows the situation to be stabilized before dealing with the paperwork. He said the rules change if withdrawals become chronic, or if supplementary water is needed on a permanent basis. In that case, Sharon would be required to join the MWRA and pay the membership fees according to the amount of water needed. Mike Sherman said that if Sharon ever decides to pursue membership in the MWRA it should notify the MWRA Board of Directors. Mike Sherman reported that Paul Millett said the cost of membership in the MWRA would be \$5.2 million for up to 1,000,000 gallons per day. Stoughton subscribed for up to 1.4 million gallons of MWRA water per day.

MWRA staff commented that if Sharon desires to join MWRA and establish a permanent connection to MWRA for supplementary water, MWRA would prefer that Sharon construct a direct pipeline to the MWRA rather than simply connecting to Stoughton's water system. A direct connection to MWRA involving construction of a considerable length of pipe would be much more expensive than just an emergency backup connection to Stoughton's water system. Eric Hooper noted that the optimum location for an emergency backup connection might be different from a connection intended for supplementary water.

However, a single incident lasting up to six months using an emergency connection to Stoughton's water system would not require Sharon to join the MWRA.

Mike Sherman said that Dave Masciarelli reported that a 6" connection to Canton's MWRA water at Cobb's Corner has been in place for 20 years and never been used. Dave Masciarelli said he did not even know if the connection were serviceable any more.

Michael Birschbach expressed concern that all valves in Sharon's water system should be scheduled for periodic maintenance so that when and if they are needed they should function properly.

Cliff Towner commented that the water pressure on the Canton side of the intersection is only 55 lbs., which would be insufficient to push water up to higher elevations in Sharon.

Mike Sherman reported that, according to an MWRA technical staff member, there are chemical differences between MWRA water and Stoughton's well water. However, additional flow resulting from a water emergency in Sharon would not be likely to cause insurmountable water chemistry problems for Stoughton.

Mike Sherman said that the meeting revealed that the MWRA has no objection to Sharon constructing an emergency connection to Stoughton's water supply, and

has no preference as to where such a connection should be established. On the contrary, MWRA encourages communities bordering towns on MWRA water to establish emergency connections as insurance to protect public safety.

Mike Sherman added that near the end of the meeting Eric Hooper told the MWRA that Sharon does not intend to construct an emergency backup connection to Stoughton in FY '06. Mike Sherman said he was surprised to hear Eric Hooper make such a statement to the MWRA in light of the fact that emergency backup was one of the priorities adopted by the Sharon Selectmen.

Mike Sherman concluded by saying that he could not understand why Eric Hooper objected to WMAC members calling the MWRA to inform themselves about policies that might affect the decision as to whether or not to build an emergency backup connection to Stoughton. Mike Sherman said further that he believed the MWRA had no interest in becoming involved in a disagreement between parties with whom they were unfamiliar.

General discussion of the MWRA meeting

Richard Mandell referred to section 1-b of Paul Millett's memo which states, "Paul Lauenstein and Mike Sherman (WMAC) acknowledged this communication protocol." Richard Mandell asked if Mike Sherman and Paul Lauenstein had acknowledged Eric Hooper's communication protocol, which calls for all communication between Sharon and the MWRA to be routed through Eric Hooper.

Paul Lauenstein and Mike Sherman both denied acknowledging any such protocol, saying that they had both maintained silence during that part of the meeting.

Michael Birschbach said he thought it is in the town's best interest for WMAC members to inform themselves about matters related to Sharon's water supply, and gather information independently.

Paul Lauenstein said that Ryan Ferrera of the MWRA disclosed at the March 2 MWRA meeting that he had had telephone conversations with Paul Lauenstein but Ryan Ferrera did not comment on the nature of those telephone conversations. At the March 10 WMAC meeting, Paul Lauenstein said the telephone conversations with Ryan Ferrera concerned a cost-justification for a water conservation program for Sharon and had nothing to do with emergency backup or OP-5.

Greg Meister asked if Paul Millett's memo had been circulated to the members of the MWRA who attended the March 2 meeting.

Michael Birschbach replied that the MWRA was not included on the memo's "cc" list.

Greg Meister advised sending copies of the Paul Millett memo to the MWRA. Greg Meister added that without an emergency backup connection to Stoughton there could be serious consequences for Sharon in the event of a protracted emergency, and could not understand why Eric Hooper seems so opposed to it.

Paul Lauenstein commented that Paul Millett said in the March 2 MWRA meeting that Aquaria's proposed desalination plant has a better than 50-50 chance of being completed. However, Stephen Estes-Smargiassi of the MWRA said that recent increases in energy costs have jeopardized the financial feasibility of the desalination plant.

Richard Mandell asked if Paul Millett's contractual relationships with both Aquaria and the Town of Sharon represented a conflict of interest in view of the fact that the MWRA is Aquaria's competitor.

Michael Birschbach said it sounded to him like there were no obstacles to establishing an emergency backup connection to Stoughton other than making an agreement with Stoughton and paying for the plumbing. He added that his understanding was that OP-5 applies only when water is actually taken in an emergency, and even then the MWRA does not always get involved if relatively small amounts of water are taken on rare occasions.

Cliff Towner said he had called the MWRA independently on at least two occasions to inquire about the MWRA's emergency backup policies. He said he was told by MWRA that OP-5 only applies when water is actually withdrawn in an emergency, but that it does not apply to establishment of an emergency connection itself. He said the only requirement for establishing an emergency connection to Stoughton is an agreement with Stoughton. In a crisis, the MWRA allows emergency water to be released immediately to deal with a crisis. An inspector shows up later to assess the nature of the emergency and deal with the paperwork.

Michael Birschbach asked Paul Lauenstein and Mike Sherman if what they heard at the MWRA meeting was consistent with Cliff Towner's understanding. Paul Lauenstein and Mike Sherman both agreed that it was.

Mike Sherman commented on a March 7 email from Michael Birschbach to the Board of Selectmen and cc'd to Eric Hooper and WMAC members containing a description of the proceedings of the MWRA meeting. Mike Sherman pointed out that, like Paul Millett's memo, Michael Birschbach's email had not been cc'd to the MWRA.

Richard Mandell suggested asking the MWRA to provide “official” minutes of the March 2 meeting.

David Grasfield said this might constitute an unreasonable imposition on the MWRA, and suggested that simply asking MWRA for answers to two or three direct questions as to the relevance of OP-5 regarding establishment of an emergency connection to Stoughton might be sufficient.

Cliff Towner said that should not be necessary since it is clear that OP-5 is not relevant to establishing an emergency hookup to Stoughton. He pointed out that the Selectmen have already voted to hire an engineer to advise the town on the best location and the cost of establishing an emergency hookup to Stoughton. Rory McGregor asked when the Selectmen had voted to investigate an emergency connection to Stoughton.

Cliff Towner replied that Bill Heitin made a motion at a Selectman’s meeting in early January to instruct the Water Department to provide the Selectmen with an evaluation of an emergency backup connection to Stoughton by February 1. The motion passed unanimously.

Cliff Towner recalled that Stoughton DPW Superintendent Larry Barrett had said at a February 10 meeting with the Sharon Water Department that the limited pumping capacity of the Pratt Court well would limit the Chemung Street location proposed by Eric Hooper to approximately 300,000 gallons per day. 300,000 gallons per day would probably be insufficient to deal with a long-term emergency in Sharon. Even if Sharon agreed to pay for installation of larger pumps at the Pratt Court well, the amount of water Sharon might require to deal with a long-term emergency might dry up nearby neighborhoods in Stoughton if the connection were located at Chemung Street. Cliff Towner also pointed out that the Plain Street location could be ruled out because the small diameter pipes at that location would restrict the amount of water available to Sharon in an emergency. He said that although a direct connection to MWRA could provide enough water in an emergency, the cost of making such a connection would be prohibitive. This leaves only the Cobb’s Corner location, where a large 12” water main and 100 psi pressure on the Stoughton side could provide Sharon with enough flow through its 12” ductile iron water main along North Main Street to provide long-term emergency backup. Cliff Towner said the next step is to obtain an engineering report assessing the options for an emergency backup connection to Stoughton.

Michael Birschbach commented that Eric Hooper had objected to the Cobb’s Corner location because of the difficulty of disposing of contaminated soil at that site, and because the Highway Department had recently re-paved the intersection and would not allow Sharon to dig it up again to make the

emergency connection. Michael Birschbach said the location could be shifted a very short distance up Bay Road to avoid both problems.

Jack Sulik said he previously objected to spending \$250,000 for an emergency backup connection to Stoughton, and now that it appears that it might cost up to \$500,000 he is even more opposed to it. He said that considering the very low probability that such a connection would ever be needed, it would be a shameful waste of Water Department money. He said Sharon could rent pumps and deploy them within 12 hours to transfer water from neighboring towns in a water emergency.

Cliff Towner said that a lot of burning could happen in 12 hours.

Michael Birschbach said that a large number of other communities adjacent to the MWRA service area had installed emergency backup connections, and that there is very good reason to be prepared for a water emergency.

Cliff Towner said that he is absolutely opposed to joining MWRA in order to import supplementary water, and that with proper management there should never be a need to do so. However, until Sharon obtains at least one new well and deals with iron & manganese contamination that limits the amount of water the town can get from its own wells, it would be prudent to have emergency backup capability in place.

Michael Birschbach said now that it is clear that both Stoughton and the MWRA are supportive of establishing an emergency connection to Stoughton, it is up to the Selectmen to move the process forward.

Rory McGregor referred to section 2-g of Paul Millett's memo, which discusses the probable need of a permanent connection to MWRA within 7 to 10 years to supplement town well water. He said an emergency connection should be considered in the context of the town's long-term needs.

David Grasfield suggested that the WMAC send a communication to the Selectmen to clarify the situation.

Michael Birschbach read the email he had sent to the Selectmen on March 7 explaining the MWRA's position on an emergency backup connection to Stoughton, and said that should suffice.

Cliff Towner pointed out that the Selectmen had voted on January 4 to instruct the Water Department to investigate an emergency connection to Stoughton and report back by February 1. He questioned why it had not been done and who is running the town.

David Grasfield echoed this sentiment, saying that the Selectmen voted over a year ago to pursue well site exploration, yet not one exploratory test well has been drilled to date.

Michael Birschbach said that he felt extremely uncomfortable discussing matters related to Eric Hooper's job performance in Eric Hooper's absence. He said he felt that Eric Hooper should be present to defend himself in the interests of getting at the truth.

Rory McGregor said he got the impression that Eric Hooper does not think an emergency backup connection to Stoughton is a priority because the short-term is already covered and the risk of a long-term emergency is not significant.

Mike Sherman said Eric Hooper made the case at the March 2 MWRA meeting that Sharon will eventually need supplementary water from MWRA.

Paul Lauenstein recalled that Metcalf and Eddy already reported on the \$6.7 million cost of importing water from MWRA or the \$6.6 million cost of importing water from the proposed Aquaria desalination plant in its "Final Hydraulic Model and Master Plan Update for Sharon, Massachusetts" of January 2004. In January 2004 the WMAC voted to recommend spending \$50,000 for more studies of importing water from MWRA and Aquaria in the current fiscal year (FY '05). Paul Lauenstein said that Paul Millett of Watermark Environmental is presumably carrying out these additional studies, and that his attendance at the March 2 MWRA meeting was presumably related to these additional studies.

Cliff Towner said the issue is whether Sharon will be able to develop new wells in Sharon to meet its future water supply needs and provide operational flexibility, or whether the town will be forced to join MWRA.

Mike Sherman replied that his point was that Eric Hooper implied at the March 2 MWRA meeting that Sharon would eventually have to join MWRA. Mike Sherman said that this is not a foregone conclusion, and it was inappropriate to suggest as much at the March 2 MWRA meeting, especially considering that Sharon has not yet investigated all potential local sources or done all it could to promote water conservation.

Jack Sulik responded that Eric Hooper, as DPW Superintendent, is entitled to express his opinion regarding Sharon's future water needs at a forum such as the March 2 MWRA meeting.

Michael Birschbach said that the purpose of the meeting with the MWRA was to discuss an emergency backup connection to Stoughton. He said by raising the question of whether Sharon will have to import MWRA water sometime in the

next decade, Eric Hooper had obscured the issue and stalled progress toward immediate establishment of an emergency backup connection to Stoughton.

Jack Sulik dismissed this as merely Michael Birschbach's opinion.

Michael Birschbach replied that without focus and priorities the town will make no progress.

David Grasfield characterized item 2-g in Paul Millett's memo, which envisions a permanent connection to the MWRA to import supplementary water, as Eric Hooper's view. He said both the WMAC and the Selectmen have pressed for new wells. He said it is possible and desirable to investigate both sourcing options at the same time.

Greg Meister pointed out that testing of all available well sites in Sharon is a necessary precondition for obtaining the inter-basin transfer (IBT) permit needed for obtaining supplementary water from the MWRA. Therefore well site testing should be a high priority, yet no exploratory test wells have been drilled in the 15 months since they were first recommended by the WMAC and voted by the Selectmen in December of 2003.

Michael Birschbach asked Selectman David Grasfield if the three priorities recommended by the WMAC in December of 2004 (new wells, emergency backup and water quality) are officially those of the Sharon Board of Selectmen.

David Grasfield confirmed that the Selectmen have adopted these three priorities, but he emphasized that implementation is the key. He said specific actions must be voted by the Selectmen to make real progress. The Selectmen, the WMAC and the Water Department must work collaboratively to overcome the obstacles to achieving these three goals.

Cliff Towner commented that although the Selectmen may vote for any given action, nothing happens unless Ben Puritz issues the order.

4. Update on new well sites

Michael Birschbach asked if progress had been made since the last meeting on new well sites.

David Grasfield said the Selectmen have done their part by authorizing \$3,000 for legal expenses and directing the Town Administrator to have Town Counsel obtain a court order to gain access to the Gobbi property for the purpose of drilling exploratory test wells. However, he said that he thought no court action had been taken to date.

Mike Sherman asked who is in charge of obtaining the court order.

David Grasfield said that although the Board of Selectmen voted to instruct Town Counsel Gelerman to obtain the court order, it is up to Town Administrator Ben Puritz, who is in charge of day-to-day operations, to follow through and be sure that the order gets carried out.

David Grasfield said that a 21-E filed by the developer of the Gobbi property two to three months ago alleged contamination at the Gobbi site.

Lealdon Langley said information about contaminated sites can be found at <http://www.mass.gov/dep/bwsc/sites/report.htm>, the Mass. DEP's web site listing contaminated sites in Massachusetts.

5. Changes to the March 10 agenda

Rory McGregor asked about the nature of accusations by Eric Hooper referenced in the first agenda for March 10 WMAC meeting.

Michael Birschbach said the choice of words used in the first agenda was unfortunate. Michael Birschbach said discussion of Eric Hooper's memo of January 7 challenging the three priorities advanced by the WMAC and approved by the Board of Selectmen should take place in the presence of the Board of Selectmen. In any event, these matters will be dealt with in the presence of the Selectmen. Since the Selectmen were not available for the March 10 meeting, the agenda for the March 10 WMAC meeting agenda had been revised.

6. Date for joint meeting with Selectmen

Michael Birschbach pointed out that the Selectmen were invited to the previous two WMAC meetings but were unable to attend. It was agreed that Paul Lauenstein as secretary would invite Ben Puritz and the Selectmen to the next WMAC meeting on Thursday, April 14. The alternate date chosen was Thursday, April 7.

7. Presentation of Water Dept. FY '06 budget to the Finance Committee

Paul Lauenstein attended the Finance Committee meeting on Monday, March 7, at which Eric Hooper presented the Water Department's FY '06 budget. Eric Hooper presented the same budget to the Finance Committee that he presented to the WMAC on January 13, except that he eliminated \$345,000 for replacement of A/C pipe along Billings Street. Paul Lauenstein said he read to the Finance Committee the following recommendation that passed by a vote of 8-1 at the January 13 WMAC meeting:

The WMAC recommends that the Selectmen request the Water Department to revise the FY '06 Capital Budget to better reflect three priorities: new wells, emergency backup, and water quality. Sufficient funds should be allocated to accomplish meaningful progress toward these three goals.

Paul Lauenstein also reported that he questioned the timing of the \$200,000 pipe replacement project on Brook Road, given that two years had elapsed since hydrant tests conducted by Metcalf & Eddy indicated deficient flow nearby on Robs Lane. If fire safety is the issue, why was this situation not rectified long ago?

Paul Lauenstein said he asked Eric Hooper why Water Department revenue had declined from \$1.94 million in FY '02 to the current level of approximately \$1.6 million projected for FY '06, even though the total amount pumped has not changed significantly in the past several years. Eric Hooper replied that even though the total amount of water pumped has remained relatively constant from year to year, the revenues have declined because more water has been billed at \$3.00 per thousand gallons and less has been billed at \$7.00 per thousand. This is consistent with monthly pumping records indicating increasing winter (indoor) water usage and decreasing summer (outdoor) water usage.

8. Report from the Water Conservation Subcommittee

Paul Lauenstein reported that Eric Hooper recommended his own \$50,000 budget for water conservation to the Finance Committee rather than the \$68,000 budget unanimously recommended by the WMAC at its February 10 meeting.

Rory McGregor commented that the difference between the two budgets is relatively insignificant in the context of the overall Water Department budget.

Paul Lauenstein replied that the water conservation subcommittee had invested considerable time and energy preparing and justifying a detailed FY '06 water conservation budget. Eric Hooper offered no explanation for substituting his lower figure.

Paul Lauenstein also reported that the next priority for the water conservation subcommittee will be a rebate policy on low-flow toilets. A new water bill insert will be due in June, the subject of which should be Sharon's rebate policy and other assistance such as water audits to help the community conserve water.

9. Upcoming events

David Grasfield said that the two recommendations passed unanimously by the WMAC at the February 10 meeting regarding the washing machine rebate policy

and the water conservation budget would be taken up by the Board of Selectmen at their March 15 meeting.

Greg Meister announced that Eli Hauser and Gina Maniscalco of the Planning Board would be making a presentation to the Conservation Commission on Thursday, March 17 concerning their plan to develop affordable housing on town-owned lands. Greg Meister recommended that WMAC members make a point of attending since this proposal could have an impact on the town's drinking water aquifers.

10. Update on new well sites

Greg Meister said Eric Hooper asked the Conservation Commission to rule on whether a production well will be permissible at the NSTAR site on Canton Street. The well would have to be located 150 feet into a wetland in order to maintain a 400 foot radius Zone I with no houses. Greg Meister said he called Dave DeLorenzo at the Southeastern Regional Office of the MA DEP on the advice of Lealdon Langley. Greg Meister will invite Mr. DeLorenzo to visit Sharon to inspect the Canton Street site, as well as several other potential well sites identified by the WMAC. The Sharon Conservation Commission will make every effort to obtain the correct answer regarding the permissibility of the sites in question.

11. Next meeting scheduled for Thursday, April 7, 2005 at 7:30 PM - To be a joint meeting with the Selectmen and Ben Puritz