

**TOWN OF WESTFORD
WASTEWATER ALTERNATIVES COMMITTEE
MINUTES FOR APRIL 16, 2024 MEETING**

Members Present: Holly Delisle (Town Administrator), Ron Rodjenski (Moderator), Harmony Cism (Planning Assistant, Minute Clerk), Jeremy Berger, Martha Heath, Bill Hill, Lori Johnson, Carol Winfield

Members Absent: George Lamphere

Also Present: Maureen Wilcox, Vicky Ross, John Kiernan, Fran Kazak, Dave Gauthier, Maura O'Brien

Meeting Began: 3:00pm

Public Comment/Items Not on Agenda:

Vicky Ross introduced a chart that she put together based on Stone Environmental's capacity calculations at 30% design for Maple Shade. The chart lists number of employees, number of patrons, and gallons per day demand for the Town Office, Library, Westford Common Hall, and Red Brick Meeting House. Vicky feels that Stone's numbers are inaccurate and don't reflect current usage. Vicky suggested that water meters could be installed to track usage as a basis for accurate numbers. The state would need a year's worth of data to enable us to build for the right number, not a higher number. Should we put a meter on the well that would reflect the combined usage of the Town Office & Library? We could possibly recommend meters for the Brick Meeting House? The Westford Common Hall's usage today is not what they want it to be.

Bill Hill thinks that Vicky's line of thinking is refreshing, and he agrees that we should define the problem better. Martha Heath mentioned that the Town Office's need was recalculated in the feasibility study at 640+/-gpd. Next steps depend on what the Selectboard wants, which isn't clear. If they are interested in solving the problem for municipal and civic buildings, then water meters can be used to determine these numbers. Vicky wondered what the State does with water meter numbers. Ron replied that they are usually used for commercial buildings, which use a different set of rules than residential.

Ron Rodjenski spoke about how the Selectboard talked about funding a 2-phase approach. The first phase is soil. There is no funding from the Selectboard to do engineering, and there is no parcel to test. Defining the problem is the first question to answer.

Bill Hill said that we need to agree on official numbers. Ron recalled that the original number was 10,000+/-gpd for the whole village. Vicky feels that if we are spending time on this, it makes sense to invest now in water meters. We can gather data while doing other things. Ron stated that when designing a system, you design for the future, not just current needs. John Kiernan, with RCAP Solutions, stated that in his experience with the State, the number they are looking for is dependent on the size of the system they are looking at. He doesn't know if water meter data will be used as capacity requirement. Ron reminded the group that there has been no money approved by the Selectboard. What can be done without funding? We can lay out mission statement options. The committee can decide to keep going with Vicky's information. We won't get to soils until the Selectboard changes their mind about funding. Carol wants to suggest to the Selectboard that we get updated estimates.

Maura O'Brien discussed the process. There is confusion about the role of the Planning Commission in the WAC study process. The WAC is a study group. They will present their findings at a joint meeting of the Planning Commission & the Selectboard. The WAC is developing a matrix of facts. There is nothing in the mission statement that says they will be making a recommendation, just a report of facts. What is the next step? What is the Planning Commission's place in the governance of the town? Unless it's the intention of the Selectboard to circumnavigate the Planning Commission, the report should be to both

boards. Maura believes that the next step is for the Planning Commission to look at the facts and make a recommendation to the Selectboard. The mission is not to make a recommendation, but to create a report. Carol mentioned that the chair of the Planning Commission, George Lamphere, is on this committee. The reason for his involvement was to facilitate the transfer of information. There is a collaboration of committees. The WAC is to identify and investigate possible alternatives to Maple Shade and report the findings at the end of the work. They don't have to report after every meeting. Ron stated that at the joint meeting, the Planning Commission & the Selectboard will talk it out. There is no indication from the Selectboard what they will do with the report.

Vicky had an assumption that if the WAC sees an opportunity to make small investments, they can recommend spending money. Bill said that we need to spend money to investigate capacity and demand. Finding the demand is more important than capacity. Ron recalled the Selectboard's denial to spend \$5,000 on engineering for the Westford Common Hall property. Holly Delisle said that the Selectboard is more interested in what sort of agreement would need to be in place between the town and private property owners when spending taxpayer money. Bill asked what legal document exists concerning town wastewater on private property, specifically easements, etc. Holly stated that the Selectboard was willing to spend money on the 1705 property because the town could have potentially bought that property. It is different when it is private property with its own needs. Ron said that this is a question for the Town Attorney. Martha recalled that the Selectboard Chair was not willing to spend town money on private property without an agreement that the owner of the private property would pay for the study.

Vicky asked, if we pay, who owns the data? We need to educate the Selectboard and see if they are comfortable with spending money and owning the data. Carol Winfield mentioned the response from the Westford Common Hall Board with edited wording that any information gathered by an engineer would be jointly owned and presented simultaneously to the Westford Common Hall and the Town. How can we draft a fair and honest agreement with private properties? This needs to be done before work can be started. If we investigate, sometimes there will be negative consequences. We will have to spend money to investigate, which might prove that we can't use that particular property.

Dave Gauthier said that he spent his own money on the Maple Shade property before bringing it to the town. That way they already knew what was available. Martha said that if the Selectboard is willing to talk about private properties and agreements, an agreement with a civic organization is different from a private property whose value might be increased. If the town talks to the attorney, there are two situations to talk about. Ron said we can agree to work on capacity without funding. There is a 3-part question for the Selectboard: legal/engineering/testing & capacity. The Selectboard said no last time. They can make this decision. Otherwise, we are stuck trying to find information on our own, with no engineer. Lori recalled other things discussed at the last Selectboard meeting. There was a list of questions and things for the WAC to address. One thing was how to access the rear of the Westford Common Hall property with an excavator. Carol said that on the side of the building there is a clear lane that goes behind the building to an old logging road. This is an area with saplings and fallen logs, but a wide path for potential access.

Discussion:

Selectboard 4/11/2024 Update:

Not much of an update aside from what is discussed above. If the board wants to authorize the community to spend money, what do they need to know? The Selectboard said no to \$5,000 for a Westford Common Hall investigation. How does the town secure rights to private property? Is there a pause before legal can be worked out? What are the steps to take before accessing private property? We can't get started without facts.

Holly reported that she has received a signed access permission from Paul Birnholz. He made some changes from the original. In the same vein, how do we address private properties? Maura wondered if before investigating private property, should we ask whether soil testing has been previously done? Ron suggested that we need a private property exploration chart. Bill added that this was the original process for the Maple Shade property and seems like the right step to take.

WCH Update:

The Westford Common Hall provided a revised permission request. Private property exploration is on the Selectboard agenda. The agenda will have active interested parties.

Matrix Work:

Work is temporarily paused, as there are no new facts. Bill Hill will put something on the website that reflects the common view of where we are. He walked the group through a few charts:

- The title page contains a picture of the WAC mission statement.
- The next chart is the 3 steps matrix, which continues to evolve.
- On the wastewater ideas map, three columns have been changed. Active ideas, tier 2 options, and ideas on hold. The two 2 active ideas are Westford Common Hall and other private properties. Gallons per day were added on the bottom axis. Maple Shade use was increased to show excess capacity. Onsite/adjacent options that the WAC is not considering were removed because they are not being explored.
- The information gathering status is to get access agreement, get verified data, and get a report of capacity and considerations. There is a new Selectboard directive to figure out an agreement.
- The Phase 1 chart has blanks that need to be filled in: site capacity, cost, use, and considerations. Holly said that we need more information on the need for capacity, not available capacity.
- Phase 2 chart is currently blank.

Bill will add a “next steps” page. This will include work on an agreement through the Town Attorney. Carol said that we are not in charge of determining demand, only capacity. Demand could be added to the scope of work. This might be a good thing to do as the current scope doesn’t cover demand.

Task Assignments:

- Holly and Ron will work on private property agreements. This might need legal review first.
- The WAC can maybe move to bi-weekly meetings. We will talk about the schedule at the next meeting.
- Martha suggested creating a list of things to ask for from private and civic properties. Ron said that the intent is to look at what the board wants. Once we have a Selectboard answer, we have more direction. We should start with the Town Attorney. There is not much to do in the interim. No funding until there is an agreement.
- Martha asked about a Front Porch Forum posting and requests for other private properties in the vicinity. Holly is working on this posting. She won’t share the request for other private properties until the Selectboard answers the question of what they want.
- Maura asked about a response to the Westford Common Hall. Holly asked if there were thoughts from the group on changes to the access agreement? Should we hold until we speak to the Town Attorney? Ron said we need structured standard protocol. Holly will respond to the Westford Common Hall that the agreement is under legal review. We need to know what an agreement should say. The goal is to have a public document.

Next meeting: April 23rd

Adjourn: 4:12pm