

Mattapoisett River Valley
Water Supply Protection Advisory Committee
Meeting Minutes
December 8, 2015

The Mattapoisett River Valley Water Supply Protection Advisory Committee met on Tuesday, December 8, 2015 at 3:30 p.m. at the Fairhaven Board of Public Works, 5 Arsene Street, Fairhaven, MA.

In attendance:

Town of Fairhaven	Jeffrey W. Osuch	appointed indefinitely
	Vincent Furtado	appointed indefinitely
Town of Marion	David Pierce	term expires: 6/ 2016
	Rob Zora	term expires: 6/ 2016
	Paul Dawson	term expires: 6/ 2016
Town of Mattapoisett	Barry Denham	term expires: 4/2016
	Dan Chase	term expires: 4/ 2016
	William Nicholson	term expires: 4/ 2016
Town of Rochester	Laurell J. Farinon	term expires: 4/ 2016
	Fred Underhill	term expires: 4/ 2018

Others in attendance were:

Patrick O'Neale, Tata & Howard
Henri Renauld, Town of Mattapoisett

Absent members included:

Naida Parker term expires: 4/2018

1. Acceptance of minutes of November 10, 2015
Mr. Pierce motioned to accept the minutes of the November 10, 2015 meeting, Mr. Underhill seconded, and all in favor with Mr. Chase, Mr. Denham and Mr. Dawson abstaining. (7-0-3)
2. Treasurer's Report
Copies of MRVWSPAC account balances as of December 1, 2015 were distributed by Treasurer Pierce, who explained that one check in the amount of \$1,133.79 to Tata & Howard was written in the month of November. As of this date we still do not have payment yet from the Town of Mattapoisett. Treasurer Pierce reported that missing interest payments finally showed up on the bank statement.

Mr. Underhill motioned approval of the above referenced Treasurer's report, Mr. Chase seconded, all in favor (10-0-0).

Members that were present signed the following invoices:

- Meagan McCarthy \$ 390.00
- Elizabeth Leidhold \$ 180.50
- Tata & Howard \$ 552.00

Mr. Pierce motioned payment of the above referenced invoices, Mr. Underhill seconded, all in favor. (10-0-0)

3. WMA Permit Renewals

Chairman Osuch reported that he spoke with Representative Straus and he believes strongly that the enabling legislation protects us from DEP. He will speak directly with DEP on this matter.

Chairman Osuch further reported that he had a conference call with Beth Card of DEP on November 21, 2015 where it was announced that there would be an administrative continuance for 17 basins; the existing permit will be valid until replaced. Ms. Card said DEP is willing to consider work completed before 2005 for mitigation.

Mr. Underhill reported that he spoke with Duane Levangie of DEP about the New Bedford water withdrawal permit renewal request, and also learned about the postponement of permit issuances.

4. 2017 Assessments

Mr. Nicholson distributed assessment calculations related to well and water treatment plant flows that serve as the basis for 2017 assessments. He is still waiting for more records from the Town of Marion.

5. MRV Data Collection

Mr. O’Neale reported that they ordered the new data logger and it will be in on December 10, 2015. Meagan McCarthy is working to summarize the data.

6. Appointment for Discussion with Mattapoissett Conservation Commission
Chairman Bob Rogers and Conservation Agent Elizabeth Leidhold

Mr. Rogers introduced himself and explained that Yard Boss has filed an RDA to withdraw water from Tub Mill Brook. He explained that Mr. Roderiques needs to file because of potential impacts to the river. Mr. Rogers believes that an RDA filing is inadequate, and a Notice of Intent is needed.

Mr. Furtado reported that he received complaints and a photograph showing Yard Boss withdrawing water from the Mattapoissett River at Route 6 in Mattapoissett. The subject property is owned by the towns of Marion, Mattapoissett and Rochester and is designated as lot 174 on Mattapoissett Assessors’ Map 17. The Town of Fairhaven manages the culvert and property at this location. Mr. Furtado sent a notice ordering Yard Boss to discontinue

water withdrawals at this location. This prompted that MRVWSPAC to initiate work on a surface water bylaw to protect the resource. Mr. Roderiques told Mr. Furtado that he was given verbal permission 10 years ago by the Mattapoissett Conservation Commission to withdraw water. Mr. Rogers interjected that Mr. Roderiques was informed that a filing was necessary and past permission granted by former members is no longer valid.

Chairman Osuch read the proposed surface water bylaw to the group, and explained that it had been placed on the upcoming Rochester special town meeting.

Mr. Paula Silva (Treasurer of MRVWDC and member of Mattapoissett Board of Selectmen) stated that he is not in agreement with supporting this bylaw. He does not believe the Conservation Commission has jurisdiction over water withdrawals.

Mr. Nicholson expressed concern that this has been going on for over 10 years, and that action is needed to prevent water withdrawals. He stated that the Mattapoissett Water & Sewer Commissioners are in favor of adopting the surface water bylaw.

Mr. Furtado noted that Yard Boss has ignored letters sent to him. He stated that the Fairhaven BPW has voted to submit the bylaw to the Fairhaven Annual Town Meeting.

Ms. Farinon reported that the Rochester Water Commission, Board of Selectmen and Conservation Commission endorse the bylaw and it has been formally submitted for the upcoming Special Town Meeting.

7. MRVWSPAC Annual Report

Mr. Pierce reminded members that an annual report was needed for the MRVWSPAC. Ms. Farinon agreed to prepare a draft for review and approval as she has in the past.

Mr. Chase reported that this was Mr. Nicholson's last meeting. Everyone thanked Mr. Nicholson for his many years of service and dedication to the MRVWSPAC. He will be sorely missed,

Because Chairman Osuch will be away on the date of the next regularly scheduled meeting of the MRVWSPAC, Mr. Dawson motioned to meet on Wednesday, January 20th at 3:30 p.m., Mr. Chase seconded, all in favor.

Mr. Chase motioned adjournment of the meeting at 4:50 p.m., Mr. Underhill seconded, all in favor. The next meeting of the MRVWSPAC will be held on Wednesday, January 20, 2016.