

Mattapoissett River Valley
Water Supply Protection Advisory Committee
Meeting Minutes
March 10, 2015

The Mattapoissett River Valley Water Supply Protection Advisory Committee met on Tuesday, March 10, 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, Chairman Vinnie Furtado
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Town of Marion	David Pierce, Treasurer Rob Zora
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Town of Mattapoissett	Dan Chase William Nicholson
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Town of Rochester	Laurell J. Farinon, Vice Chair Fred Underhill
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Others in attendance were:

Patrick O'Neale, Tata & Howard
Henri Renauld, Town of Mattapoissett
Attorney Tom Crotty

1. Acceptance of minutes of February 10, 2015
Mr. Underhill motioned to accept the minutes of the February 10, 2015 meeting, Mr. Chase seconded, and all in favor.
2. Treasurer's Report
Copies of the March 1, 2015 treasurer's report were distributed by Treasurer Pierce who explained that it was a quiet month with only two checks being issued to Tata & Howard (\$1,977.24) and Elizabeth Leidhold (\$479.00). The account balance as of March 1, 2015 is \$145,483.48, and total income for the period of July 1, 2014 through March 1, 2015 was \$84,882.04. Mr. Zora motioned to accept the March 1, 2015 treasurer's report as presented, Mr. Underhill seconded, all in favor.

Members that were present signed the following invoices:

- Town of Mattapoissett \$50,000.00
- Meagan McCarthy \$ 234.00

- Nettles Design \$ 29.98

Mr. Chase motioned payment of the above referenced invoices, Mr. Zora seconded, all in favor.

3. Withdrawal of water from Mattapoisett River

Mr. Furtado reported that the subcommittee of he, Mr. Osuch, Mr. Nicholson, Ms. Farinon, and Ms. Leidhold met to discuss the problem of private companies withdrawing water from the Mattapoisett River. Attorney Tom Crotty was invited and in attendance at the meeting to address this matter. Attorney Crotty summarized his opinion that the MRVWDC has greater authority than the MRVWSPAC to control water withdrawals. The legislation related to the MRVWDC could be revised and regulations adopted to regulate water withdrawals. Appeals would go to Superior Court. Discussion ensued about revising general bylaws to regulate withdrawals. Mr. Underhill cautioned that our attempts to modify the enabling statute could backfire as MRV communities are pursuing WMA permit renewals. He recommended that we not revise the legislation at this time. All agreed this was a prudent approach and to pursue local zoning bylaws instead of revising legislation.

Mr. Nicholson commented that we should consider limiting withdrawals from all surface water sources, not just the Mattapoisett River and its tributaries. Mr. Underhill offered to contact City of New Bedford representatives to see if they have anything in place that will be helpful.

Attorney Crotty will draft standard bylaw language addressing water withdrawal pertaining to hydrants, emergency situations, and surface waters. He will also investigate criminal vs. non-criminal disposition, and penalties/ fines for violators.

4. DEP Water Withdrawal Permit Renewal

Mr. O'Neale distributed handouts from the workshop held on February 24, 2015 and summarized the timeline for permit renewals. Concerns were raised that DEP proposes to utilize a gauge on the Paskamansett River in Dartmouth that is unrelated to the MRV sub-basin for baseline.

Chairman Osuch stated that the MRV communities should act as a group when dealing with DEP. He proposed that a meeting be scheduled with DEP to try to understand where they're coming from so that we know what to expect.

5. Old Business

Mr. Nicholson reported that he had the photo that Mr. Furtado took of the MRVWSPAC framed to give to Ms. Keese as thanks for her many years of service. He will arrange to present it to her in person.

Mr. Chase motioned adjournment of the meeting at 5:00 p.m., Mr. Underhill seconded, all in favor. The next meeting of the MRVWSPAC will be held on Tuesday, April 14, 2014.