

UPPER BLACKSTONE CLEAN WATER
50 ROUTE 20, MILLBURY, MA 01527-2199
BOARD MEETING MINUTES - BOARD ROOM/HYBRID MEETING
December 6, 2023

ITEM I - CALL TO ORDER

Chairman Labovites called the meeting to order at 1:00 p.m.

Ms. Mancini, through a roll call, recorded those in attendance and all are noted below:

<u>Board Members</u>	<u>Title</u>	<u>Present</u>	<u>Absent</u>	<u>In- person</u>	<u>Virtual</u>
Matthew Labovites	Chairman	X		X	
Philip Guerin	Vice Chairman	X		X	
John Woodsmall	Secretary		X		
Michael Traynor	Member	X		X	
Joanna Paquin	Member	X		X	
Donald Manseau	Member	X		X	
Robert Antonelli	Member	X		X	
Gary Nelson	Member	X		X	
Jay Fink	Member	X		X	
Austin Cyganiewicz	Member		X		

Upper Blackstone Staff

Karla Sangrey	Engineer Director/Treasurer
Mike Andrus	Deputy Director
Denise Mancini	HR Assistant/District Clerk
Diane Shea	Finance Manager

ITEM II - APPROVAL OF MEETING MINUTES – November 15, 2023

Minutes – Member Antonelli moved to approve the minutes of the meeting on November 15, 2023. Member Fink seconded, and approval of minutes was noted as follows: Chairman Labovites, yes; Vice Chairman Guerin, yes; Member Traynor, yes; Member Paquin, yes; Member Manseau, yes; Member Antonelli, yes; Member Nelson, yes; and Member Fink, yes.

ITEM III - FINANCE

Warrants – Member Traynor moved to approve the following warrants. Vice Chairman Guerin seconded, and approval of the warrants was noted as follows: Chairman Labovites, yes; Vice Chairman Guerin, yes; Member Traynor, yes; Member Paquin, yes; Member Manseau, yes; Member Antonelli, yes; and Member Nelson, yes.

Warrants	\$ 319,415.73	(11/17/2023)
	\$ 353,008.01	(11/22/2023)
	<u>\$ 625,391.60</u>	(12/01/2023)
	\$1,297,815.34	

Breakdown of Cash – Ms. Sangrey said the report is dated October 31st and November's will be shared at the next meeting. The October assessments are in and reflect a change in the money market account balance. She said there is \$2.1 million in the BAN account which reflects the proceeds from the \$4 million BAN in October, of which \$2M was paid off from the year before. She added money is still owed back to the investment and BAN accounts.

Aging Report – Ms. Sangrey said there are no outstanding invoices to be concerned with and as of this morning, the third quarter invoices were sent out. She said suggestions for changing the process are always welcomed. Ms. Sangrey told the Board members that she received an email this morning from Jennifer Warren-Dymont, the Town Administrator in West Boylston, that Thomas Degnan was appointed as the new full-time DPW Director as of Monday this week.

Outside Revenue Position – October - Ms. Sangrey said the report covers October, and November's report will be covered at the next meeting. She said the septage, leachate and sludge are running ahead of the same time last year, but we are behind budget in septage and leachate. She said this will be considered in the planning efforts going forward and she is confident that if the equipment continues to run properly, the sludge receipts will be good. She is hoping to increase the throughput by helping some of the communities that have been displaced, mostly by Woonsocket's inconsistencies. Ms. Sangrey said the permitting process has been completed for Webster to truck some sludge to Upper Blackstone when necessary, instead of to Synagro; however, the receiving process has not started yet as there seems to be some resistance from Synagro. On the energy credit side, Ms. Sangrey said the net revenue is not reflected in the report and she and Ms. Shea are discussing modifying the report to show the cost, the revenue, and the net revenue. She said the Hampden site is not up yet, but she is receiving regular updates on it and added the loss in revenues is approximately \$25,000. The report shows the energy credits provided are behind budget for this year, but ahead of last year.

FY2025 Budget – Draft Fiscal Flows for Review – Ms. Sangrey shared a screen of a map illustrating fourteen meters that are involved in calculating fiscal flows every year, pointing out that Upper Blackstone only owns one. She explained that daily data is collected every year and three years' worth of data is used to average out the flows from each community for the budget process for the following fiscal year. This year's average consists of flows from fiscal years 2021, 2022 and 2023. She said in 2019 there was an in-house initiative to check each of the meters to make sure they are running properly, and there were no problems detected. We are checking in with the responsible parties for the meters again this year, and it is Upper Blackstone's goal to have the communities submit their annual maintenance records to confirm the meters are being taken care of and their regular calibration schedule is consistent with manufacturer recommendations. Ms. Sangrey then referred to and explained the flow chart provided in the handouts for the members to see how their communities are trending. She asked to have the people in the communities who collect the data review the chart to make sure there are no errors and said she will send a metering map out to the members. Chairman Labovites suggested if anyone had any questions or issues, that they reach out to Ms. Sangrey.

ITEM IV ADMINISTRATION

Integrated Planning Update – Ms. Sangrey said, and Member Fink concurred, there is nothing new to report.

Capital Projects Updates, Mike Andrus, Deputy Director

Regional Biosolids Study – Progress is being made and the project team is meeting more frequently as Phase I is nearing completion. They are now looking at a hub and spoke approach in which each project partner does one stage of processing (anaerobic digestion, dewatering) and then sending product to a central location for final processing (incineration, drying).

Standby Power Design – The generator design is moving forward and will be bid-ready in early 2024, once the SRF loan is approved. Upper Blackstone has signed a non-binding Letter of Intent (LOI) with Solect, for the panels and batteries, which locks in the 2023 incentive rates, which are more attractive than the rates for 2024. Ms. Sangrey mentioned West Boylston is doing a project like this one.

Fleet Electrification – A meeting was held on Monday with JK Muir (JKM) and the charger installer to discuss locations and power for charging. The chargers will need to be installed prior to purchasing the electric vehicles. JKM is also assisting with various incentive programs to reduce capital costs.

Mr. Andrus said one of the other small projects underway is upgrades at the dissolved air flotation (DAF) sludge thickening process to increase solids content which will in turn help incinerator efficiency. As we wrap up the construction season, he is working on the planning for FY2025.

ITEM V – OPERATIONS

Flow Summary – Ms. Sangrey said the temperatures are dropping, there have been a couple of rain events, and we are in winter mode for operations and permit compliance.

Whole Effluent Toxicity Report Update – Ms. Sangrey said she received verbal notification that the follow-up test, which was performed in November, passed. She has not received a written report yet and will look further into the details when she does, adding another test will be performed in January as regularly scheduled. Chairman Labovites asked that this be kept as an agenda item to review the report when it is available.

ITEM VI– COMMUNICATIONS

MCWRS – Vice Chairman Guerin said the Coalition’s comments on Deer Island have been compiled, with the focus on climate change during storm planning. He said the law students working with Attorney Cox were instrumental in crafting some legal arguments on the issue. He added there were several organizations that also commented, and a final permit will be issued. Also, a webinar is tentatively scheduled for February 29th regarding stormwater, as the multistage filtration (MSF) permit is in year five (5), which means anyone who has phosphorous limited receiving waters must submit their phosphorous reduction plan. As the program is in the infancy stage of being developed, Vice Chairman Guerin said it will be a good opportunity to hear from the affected communities, on what they are doing and what challenges they are facing, including Shrewsbury, as they have already had a few years of experience. Ms. Sangrey said Upper Blackstone, with help from counsel, has commented on the major storm event planning and the co-permittee issue, adding all the comments are posted on the web and she will send the Board members the link. [see all public comments at <https://www.epa.gov/npdes-permits/epas-permit-massachusetts-water-resources-authority-mwra-deer-island-treatment-plant>] She went on to say the co-permittee issue is important to Upper Blackstone as co-permittee language was written into its permit when it was drafted in 2007. Upper Blackstone challenged the permit, and it went to the Environmental Appeals Board (EAB), who pushed back to the EPA to justify their legal authority for having the co-permittee language. Rather than putting the co-permittee language into Upper Blackstone’s permit, the EPA responded to the EAB in a subsequent permit later, stating they do have legal authority and provided an explanation. Ms. Sangrey said Upper Blackstone was one of the early, successful challengers to co-permittees, but the conversation hadn’t concluded from a legal standpoint regarding the issue of legal authority. Subsequently, Upper Blackstone’s comment letter reiterates there is still no legal authority and provides the reason for that opinion. Vice Chairman Guerin does not believe anyone else has challenged it and there has not been any further legal discussion. The Vice Chairman said this language is unique to POTWs and not to stormwater permits. Ms. Sangrey said the advisory board is not supportive and feels it is counterproductive. She also said having submitted comments puts Upper Blackstone in a position to be part of the conversation and to submit a legal brief to the court if necessary. She offered to forward the comment letter to the Board, and it is part of the on-line posted comments.

Ms. Sangrey inquired about the ‘Pacheco Bill’ on PFAS. Vice Chairman Guerin said the bill did get out of committee and is now with the House Committee on Ways and Means. Adding, the next step is to reach out to committee members, with the same (updated) letters that were previously sent, as they have the advantage of moving the bill forward.

ITEM VII – PERSONNEL

Postings, New Hires, Resignations – Ms. Mancini said there is an internal posting up for a custodian; Laura Ray, the new accounting clerk, started today; and a new operator is scheduled to start on December 28th.

ITEM VIII - DATE(s) NEXT MEETING(s) AGENDA TOPICS

12/20, 1/10, 1/31

ITEM X – ADJOURNMENT

At 2:04 p.m. Member Manseau motioned to adjourn the meeting. Member Traynor seconded, and the meeting was adjourned.

Respectfully submitted,

Denise Mancini

Denise Mancini,

District Clerk