

**Public Works Committee
Town Hall Council Chambers
March 21, 2024, 6:30 p.m.**

Present: Arthur Mathews, Chairperson
Kenneth DiFazio, Vice-Chairperson
John Abbott
Rick Coughlin
Gary MacDougall

Also Present: Ted Langill, Chief of Staff
Ryan Algrove, Water Consultant, Environmental Partners
Kenan O'Connell, Director of DPW
Braydon Marot, DPW Water Superintendent
David Tower, DPW Business Manager

Recording Secretary: Kim McCutcheon

Chair Mathews called to order the meeting of the Public Works Committee at 6:30 p.m.

23 083 MWRA Water Application

Chair Mathews stated that it had been some time since the Public Works Committee had met last year and there were three new Councilors on the committee. Chair Mathews asked the administration to bring the new members of the committee up to speed to the point of the public meeting held during last year's Annual Town Meeting where Speaker Mariano came and gave an update as to where we are today with the application from the administration side of things, then they could discuss the questions that were sent in advance of the meeting, and finally they will open it up to comments and questions.

Mr. Langill stated he would let Ryan Algrove from Environmental Partners get into the details, but wanted to advise the committee that the administration has been making some progress toward an application but were still early in the process. It will be a while to have a full application and believed everyone knew the application process is not simple, it is not as easy as filling out a form application, it is a number of different filings combined into the application, and part of that is a vote from the Town Council so that part of the process is why the administration was in front of the committee, for approval for the application. Mr. Langill stated he would let Ryan Algrove give an update on where they were in the process of the application, but they are ahead of schedule with the first filing that will be in the next few weeks.

Ryan Algrove, Principal at Environmental Partners Group and the town's water consultant. Mr. Algrove requested to take a step back and give some history of the project. The project started back in 2020/2021 with two planning activities, the first being a mini master plan of the Weymouth system. This plan looked at what the projected demands were within Weymouth with the development outside of the borders of the Union Point development, and then also add on to see where the demand was headed compared to what the supply is and determine the order of magnitude of the gap. Once they had that

number, it was determined there was no way the town's water supply could support the development or water demand the Town is up against if all development is realized. The only answer to those issues is the MRWA. There is only one regional water supply that could handle that level of demand.

Mr. Algrove continued by stating that the next step was to look at what that infrastructure would look like: connecting the Weymouth system to the end of the MWRA's system, what improvements would need to be made inside the borders of Weymouth, what pipes would need to be upgraded, and the order of magnitude of those updates, as well as the cost of those upgrades. Next, how conceptually would you get a pipe from the MWRA system to the border of Weymouth? That discussion was with the MWRA because they know their system better than anyone. After that discussion they came up with six conceptual routes, which has been narrowed down to three, done from both the town's perspective as well as the MWRA's perspective. The town then advised the MWRA that they believe the plan is feasible, but inquired as to how much water was available. The MWRA knows how much water they have available from the Quabbin Reservoir, but the town needed to ask what the MWRA could actually supply Weymouth with and how does that compare to what the town is looking at for demand. The MWRA then did a study and came up with a number, 7.5 MGD (million gallons per day). Improvements could be made to their system and bring that figure up to 15.6 MGD. That then brings us to the end of 2023 where the administration is aware of what improvements would need to be made on Weymouth's end, how much water the MWRA can provide, what improvements would be to extend the infrastructure and make the connection.

Mr. Algrove stated that they then started the MEPA filing process which is the first filing they are scheduling for April. The administration has put together a plan that describes everything discussed in more detail. This gives all regulatory agencies the opportunity to comment on the plans, which at this point are not definite - how the connection will be made or which pipeline route is going to be selected, however, it is at a point where there is enough information that the regulatory authorities and public can make comments which is the first step in the multistage MEPA filing process. That process would lead to getting the Interbasin Transfer Permit which is the major permit needed because they would be taking water from the Quabbin Reservoir, transporting it to the Boston Harbor Basin which is where the Weymouth water supply is located.

Mr. Algrove continued to explain that once the permit is received the town moves to applying to the MWRA and then a board vote from the MWRA. The final step, which is the most time consuming and expensive step, is building the pipeline. The plan of action now is to first file with MEPA and then the next filing would hopefully take place late 2024/early 2025, and that filing would be the application for the Interbasin Transfer Permit, and MEPA uses that filing as their permit application.

Chair Mathews asked if it is the intention of the Town and Environmental Partners to get a MEPA certificate before filing with the MWRA.

Mr. Algrove replied, and stated yes, there will be a MEPA certificate soon after the initial filing and that will tell the town and Environmental Partners to submit either a single or final environmental impact report, which is one filing, or they may request a draft environmental impact report which could be one or two extra filings, but it is at the discretion of MEPA. If MEPA requests a single or final report, then they issue their certificate advising the town they have provided adequate information so that the regulatory agencies understand the town's intentions and that the required permitting is clear. The town

can move on to getting all of the necessary permits. The Interbasin Transfer Permit is the same as the Environmental Impact Report (EIR), but there are a number of permits needed on top of that. MEPA requires enough information is provided so they are confident that everyone involved has a clear understanding of the project so that MEPA can advise which permits are needed.

Chair Mathews asked for clarification that the order of approvals is MEPA approval, Interbasin Transfer Permit approval, and then the filing with the MWRA. Mr. Algrove confirmed that that is correct, but there are other requirements MWRA needs as part of the application but the biggest are the Interbasin Transfer Permit and MEPA approval, which takes the most time.

Councilor MacDougall asked Mr. Algrove for clarification on the filing with the MWRA, if that was all encompassing. Mr. Algrove responded that the filing with the MWRA is all of the required pieces, the MEPA certificate, the Interbasin Transfer Permit, the technical requirements that are easier to pull together, and the legislative requirements that need to be included in the application.

Mr. Langill interjected that that includes the vote of the Town Council, to which Mr. Algrove confirmed was on the list of requirements. Chair Mathews confirmed that that is Operational Policy #10 of the MWRA.

Councilor Coughlin asked for clarification on the four steps needed, the MEPA certificate, the technical reports, other required documentation and the Council vote. Councilor Coughlin also asked for confirmation that the town is currently working on the filing for the MEPA certificate. Mr. Langill confirmed the first filing would take place in the next couple of weeks.

Chair Mathews requested the review of the questions submitted to the administration from himself and Councilor MacDougall in February of 2024. The answers to those questions were provided the day of the meeting at 1:30 PM. Copies were provided to all Councilors. After reviewing the questions and answers Chair Mathews would open up the general discussion among committee members.

Chair Mathews asked to also touch on several topics that have transpired since the committee had met including information that was provided in the Notice of Project Change from the redevelopment of the former South Weymouth Naval Air Base as well as the comment letter from the DEP that was submitted within that document.

Chair Mathews read the first question submitted to the administration

1. Can the Public Works Committee be provided a detailed plan for what the town water supply will look like if we join the MWRA?

It cannot be determined in detail until the pipeline route and connection point are finalized. Generally, there are two options, the connection is made at the Town's intermediate zone and the low service zone will be supplied with MWRA water and the high service zone will be supplied by Great Pond or the connections are made at the high service zone and the Town's supply is a mixture of Great Pond and MWRA water at the same time. Both scenarios assume that the groundwater wells and the Arthur J. Bilodeau Water Treatment Plant will be abandoned pending

approval through the Interbasin Transfer permitting process. In the future, when the MWRA's capacity has expanded, the Town can pursue full MWRA supply.

Chair Mathews stated that this was something that was new to him and discussions that have come before Council. Chair Mathews attended the public meeting that was held at Tufts Library on March 12th, 2024. The focus of that was to try to get 7.5 million gallons of water per day for the whole town, so asking as a follow up to question one, how many times has the administration met with the DEP or MWRA regarding this, especially after the public meeting May 15th, 2023 where Speaker Mariano spoke.

Mr. Langill confirmed there were maybe half a dozen meetings and a few phone calls.

Chair Mathews asked if at any of the meetings held, has the DEP mentioned that the town cannot abandon Great Pond as a water source? Has the DEP stated that Great Pond has to remain online?

Mr. Algrove asked for clarification regarding what Chair Mathews meant when he said DEP, did he mean the drinking water program? Chair Mathews replied that when they speak of the DEP, the DEP controls and regulates permitting with the state. Chair Mathews asked if any state officials have advised the administration that the town must keep Great Pond online.

Mr. Algrove stated that no one has said yes or no but believes the town will receive feedback on the first filing.

Chair Mathews stated he asked these questions because of the answer to the original question and stated for those who may have been unaware that the Town of Weymouth is separated into three service zones, the high-pressure zone which is South Weymouth, the intermediate zone which is Weymouth Landing, East Weymouth, the more central area of town, and the low-pressure zone which is North Weymouth. In reading the answer to the question he surmises that the whole town will not be hooked up to the MWRA, the low and intermediate zones would be with the MWRA, and the high zone of South Weymouth would still be treatable water.

Mr. Langill responded that the answer is not currently known, but those are the different options. Mr. Langill stated they do not believe when construction is done a switch will be flipped and all water will be from the MWRA, they believe it will be phased in with a potential for full MWRA at some point.

Chair Mathews responded that his thought was that the estimate provided at the public meeting was \$90M to \$120M and he would want to spend that money to ensure they get the full supply, not just a portion.

Mr. Langill replied that the application is for the maximum amount of water the town needs.

Chair Mathews stated he is reading the answers to the questions and disagrees. Mr. Langill responded that the answer to the question offered different options, and it would not be full MWRA day one, but that is the goal of using a phased-in approach. It will depend on where the pipe is connected and what the permits allow. Chair Mathews stated he understood, but wanted to let people know, especially where the Council could be asked to bond between \$90M and \$120M and only half the town will get MWRA

and residents will have rate increases on their bills but half of the town may not even receive MWRA water.

Mr. Langill stated that another factor in the phased approach is dependent on how much we have to bond ourselves. The entry fee will be waived so it will not have to be added to the rates, and the town is hoping for some help on the construction from the legislature, so the impact is not realized yet. One option to ease into a rate change would be to continue to use the town's water sources if it is cheaper to keep the town's water in the system.

Chair Mathews stated that he was rooting for the whole town to receive MWRA. Mr. Langill agreed and said the administration believes due to increased treatment costs and infrastructure improvements needed, the town's rates in the past five years have increased more than the MWRA, so when the time comes the MWRA will be the best option all around.

Chair Mathews asked if the cost of \$90M to \$120M included money from a mitigation deal with Braintree to allow an easement or was the cost just pipeline? Mr. Langill confirmed it was just pipeline.

Vice Chair DiFazio stated that from the last sentence in the answer to question one, "In the future when the MWRA capacity has expanded, the town can pursue full MWRA supply." he did not realize their capacity was dictating whether the town was going to be full MWRA or not.

Mr. Langill responded that due to the way the Blue Hills are situated, the MWRA can only provide 7.5 MGD, when improvements are made where a storage tank is turned to a flow-through, they can go up to 15.6 MGD. That fix is on the MWRA end but the MWRA will try to coordinate that with the town's timeframe and then they will have full capacity.

Vice Chair DiFazio asked Mr. Langill if the committee could be provided with a cost estimate to review. Mr. Langill responded that the figures came from the MWRA, and the administration will ask for details as to how they came to that number, but he believes it is a per-mile calculation.

Councilor Abbott asked for clarification that the high service zone also includes Union Point, to which Mr. Langill responded in the affirmative. Councilor Abbott asked if they could estimate if the costs are for maintenance whether the town is full or partial, and would there be additional costs associated with partial usage that the town would have to incur, or is it as simple as two pipelines meet and the water mixes.

Chair Mathews said a mix would not be allowed and there are shut-off zones that are segregated into three sections to segregate water supplies because they are treated with different chemicals.

Mr. Algrove stated that ultimately water supplies would be separated to eliminate the unknown, but you can mix water supplies, many towns in Massachusetts do mix MWRA water with local sources, but every mixture depends on the local source's chemistry and would need to be monitored. One option, if a mixture were to happen, is that the MWRA water is treated on the corrosion control side using the same process as what is currently being done for the town. Mr. Algrove advised what should not happen is to put a totally different chemistry in and that the film built up on the inside of the pipes for corrosion control goes away, but there are options to mitigate that. There is also a scenario where if the connection

is made in South Weymouth and MWRA is mixing with Great Pond water, it may make sense to go from a free chlorine disinfectant to a chlorine emanated disinfectant. There are no aesthetic differences, and it is better to make them similar than different, there are other towns who do just that without issue, but every scenario is unique. All parties need to be satisfied with how mitigation occurs.

Chair Mathews is concerned about aging infrastructure so he would be concerned about blending anything.

Councilor MacDougall stated that it is conceivable that the MWRA is turned on for one zone in town and the other zones would still receive water from Great Pond or Whitman's Pond, but questioned if the bill for water would be a combination of both, to which Mr. Langill answered affirmatively. Councilor MacDougall continued by asking if there is a mix, does that require the Town to keep the water treatment plan running in one area and that cost would still be in effect as well, to which Mr. Langill again responded affirmatively.

Councilor MacDougall questioned Mr. Langill's earlier remark regarding escalating costs and joining the MWRA, but it sounds like the town would need to keep the water treatment plant in place for a number of years possibly which has an associated cost. Mr. Langill said that the town would be treating less water which would be less expensive. Councilor MacDougall stated that nothing ever goes down in cost, it always goes up, so his question is that if the town is going to have years and years of some zones being Great Pond and some zones being MWRA?

Mr. Langill responded that the exact number of years is still unknown but it will be a period of time, but the goal is whatever the combination is between MWRA and Great Pond that the town will do it in a way that we never have to take water from Whitman's Pond or South Cove. Once MWRA is 100% the town will never have to use Whitman's Pond again because Great Pond would be the backup supply.

Councilor MacDougall asked Mr. Langill if the application was a joint application with the SRA (Southfield Redevelopment Authority) and the Town of Weymouth. Mr. Langill responded yes that MEPA explained that they draw a line between the two to connect it on their end administratively, but the Town of Weymouth and the SRA are co-applicants. If at some point the town decided to not go through with the application the SRA could still move forward.

Mr. MacDougal asked Mr. Langill if the SRA is a parallel applicant with the town, what is their opportunity going into this application jointly as they will be paying part of the fee? They certainly want to get more water for the development, will it be Great Pond water or MWRA water? Mr. Langill responded that he thinks they just want water.

Chair Mathews stated if the SRA is going to be involved in this process and if they pull a bond for it, they are not going to want to pay for a bond and they are not receiving MWRA water if the MWRA water is being supplied to the low and intermediate zones. Mr. Langill responded that they wouldn't get our water without that source, and they will be getting the water, so they are still paying for it.

Councilor Coughlin asked if there was a more specific amount of time until the town would be full MWRA, could it be decades? Mr. Algrove responded that it is dependent on when the MWRA makes the necessary improvements, the MWRA would like to see this process at a certain point before they

would start to think about that and then they would get into the planning process. They are aware of the improvements that need to be made. Mr. Langill stated that the town has started to meet with other south shore towns about their design and have hired consultants, they are very interested in the town's project, but for them to get their water those improvements will have to be made so there is some impetus for them to make the changes to help these other communities after ours.

Councilor Coughlin also asked for clarification on the timeline regarding the amount of water the MWRA can supply. Mr. Algrove responded that the original amount the MWRA will be able to supply on day one is 7.5 MGD, and the build-out demand for the entire town is 9.87 MGD. Councilor Abbott asked what the date is that the town is going to need that amount. Mr. Algrove stated the date is 2040. Mr. Coughlin then asked if the MWRA could change the amount of water supplied at their discretion, giving fewer gallons than planned. Mr. Langill responded no, and that from day one the MWRA told them to ask for the maximum amount the town would need.

Chair Mathews read the second question submitted to the administration

2. In the NPC MEPA filing, the Master Developer states that the unaccountable water audit was completed by the Town in December of 2023. Can the committee be provided the report in advance of the public works committee meeting?

Yes.

Chair Mathews stated that the committee has yet to be provided with a copy of the report. Chair Mathews said someone had emailed him a few pages and had seen a couple of the pages posted on social media but did not have the actual report yet. Mr. Langill responded that it would be shared with the committee as well as posted online. Chair Mathews stated he was sent information about accountable water from the report and while it may not be a discussion for this evening, it may be a full Public Works Committee discussion down the road. Chair Mathews noted that \$90M to \$120M does not include replacing any of the aging infrastructure and some pipes are very old and will cost money to replace over time. Chair Mathews wants to ensure that residents know that if the town joins the MWRA that does not solve the leaky pipe problem we have now throughout the town.

Chair Mathews read the third question submitted to the administration

3. The NPC also mentions that the MWRA application will be a joint application with the SRA. Can you provide the committee with the most recent water/wastewater agreement between the Town and the SRA? Is there a current agreement that can be provided?

No, there is not. There has been no new agreement since suspending with LSTAR. SRA is looking for one Ted setting up a meeting.

Chair Mathews stated that the first part of the question was previously answered, but is there a current agreement that could be provided that is already in place with the SRA?

Mr. Langill said there is not an agreement since the town suspended it with LSTAR, but the new developers have requested one. Mr. Langill stated the developers have been told they will not receive 600,000 gallons, as the number is currently unknown. Mr. Langill will be setting up a meeting with the new developers and internally they would try to figure out what the potential number of gallons could be.

Chair Mathews responded that he was going to touch on that topic later, reading over the DEP letter because they had questions about availability of water.

Vice Chair DiFazio asked if there was going to be a required Intermunicipal Agreement between the SRA and the Town of Weymouth as each is a municipality.

David Tower stated the SRA applied to be a water district and the town treats them as regular customers and they are hooked up to the town's pipeline system for water and fill out their own annual ASR report for their section of town. They are also incorporated into the Town of Weymouth's because they are within the borders of the town.

Chair Mathews stated the SRA is classified as a consecutive water district because if they were not, they would not be able to file an application with the MWRA. Mr. Langill confirmed that was correct.

Chair Mathews read the fourth question submitted to the administration.

4. Please provide the committee with an update on any agreement with the Master Developer.

There is no active interim agreement. We do expect an interim water/wastewater agreement to be re-established in the near future.

Chair Mathews stated Mr. Langill had already outlined that scenario and unless anyone had any questions he would move on to the next question. There were no questions.

Chair Mathews read the fourth question submitted to the administration

5. Please update the committee with any information regarding getting an easement for the water transmission line through Braintree or Quincy.

It cannot be determined in detail until the pipeline route and connection point are finalized.

Generally, there are two options:

The connection is made at the intermediate service zone. The Town's intermediate service zone and low service zone will be supplied with MWRA water and the High Service Zone will be supplied by Great Pond.

The connection is made at the high service zone. The Town's supply will be a mixture of Great Pond and MWRA water. At this time, both scenarios assume that the groundwater wells and the Bilodeau WTP will be abandoned, pending approval through the Interbasin Transfer permitting process. In the future when the MWRA's capacity has expanded, the Town can pursue full MWRA supply.

Chair Mathews stated that the update was provided at the public meeting. In September of 2023 initial meetings were held between Mayor Hedlund's office and the new Mayor of Braintree and agreed on future discussions and an alternatives analysis will present the detailed impacts of each potential route

and rank the routes according to the priorities of each community, Weymouth, Braintree and Quincy and the final route will be selected upon the alternative analysis. The MWRA application requires Intermunicipal Agreements. Chair Mathews asked if there were any further questions, to which there were none.

Chair Mathews moved on to questions submitted by Councilor MacDougall.

Chair Mathews read the first question submitted to the administration by Councilor MacDougall:

1. In the application process for MWRA, there's a multi-step process, the first step being:

“Undertake comprehensive water supply planning and adopt effective demand management measures. MWRA’s Enabling Act criteria require water conservation, local source protection and maintenance, assessment of feasibility of local sources, the adoption of a Water Management Plan, and water use surveys. Typically, these efforts begin prior to the formal start of the admission process, which is frequently, although not always, marked by the submission of an initial MEPA document.

Communities typically look to MWRA after they have determined that conservation and local sources alone are not sufficient or feasible to meet water supply needs.”

Based on the guidelines for MWRA’s process, it’s important to have a comprehensive study and to communicate MWRA to the public so they can comment.

The administration makes a point to have community meetings for projects they support, since MWRA is something they support, what is the likelihood that there will be a series of MWRA comprehensive community meetings WITH public comment before this application process is filed?

We have already had a meeting with the Town Council as well as a community public meeting. Future public meetings will be scheduled based on milestones reached in the application process. Specifically, a robust community engagement process will be initiated on the selection of the pipeline route and connection point. In this way, we can present a detailed plan and provide targeted responses to concerns from residents and the other affected communities.

Chair Mathews stated that the questions were submitted in February before the public meeting was held.

Mr. Langill said the public meeting was connected to the MEPA filing because that is taking place in April.

Councilor MacDougall stated his appreciation for the administration putting together the meeting but wished there had been more notice because constituents were asking why they had not been notified, Mr. Langill responded that the meeting had been well attended and was taped for people to view.

Councilor MacDougall asked if the administration is considering holding bi-annual meetings until this process goes through or how are those meetings going to be set up going forward?

Mr. Langill responded that meetings would be held by milestone, and the Southfield developers will hold one as well on April 11th. Mr. Langill stated he had reached out to the developers to ask how different their meeting may be from the one already held because the administration wants to ensure everyone is getting the same information. The administration will err on the side of transparency and will put information on the town website as far as the reports and links to tapings. There is a master schedule for different steps in the process.

Councilor MacDougall suggested sending notifications in the water bills. Mr. Tower stated that the process is difficult due to how bills are submitted to be sent to different sections of town depending on the week. A notice was previously provided once about the process, and they will do that again and that notice will let residents know where they can find information online regarding the next meeting to let them know where to go.

Councilor Coughlin reminded everyone that it was announced at the last Town Council meeting that people may sign up for e-alerts on the Town's website to be notified of upcoming meetings.

Chair Mathews read the second question submitted to the administration by Councilor MacDougall (documents attached)

2. The SWNAS Notice of Project Change (NPC) makes reference to the water plan and UAW. Council has been asking for this and we've not seen this prior to this application. Will the administration release its UAW report, and if so, will this be made available to Council prior to the application filing?

Yes. Both plans are available.

Chair Mathews stated that this question was previously asked and answered.

Chair Mathews read the third question submitted to the administration by Councilor MacDougall:

3. This measure as submitted, does the administration consider this being the approval for Council as accepting MWRA as a full town council vote as required by the MWRA process?

Council approval of this measure is required for the Town to submit a complete application to the MWRA. Additional approvals will be required for funding of the infrastructure.

Chair Mathews read the fourth question submitted to the administration by Councilor MacDougall:

4. Given the application has been communicated to us as being a joint application with other parties, will the administration make that contract and language available to Council?

There is no separate contract between the SRA & Weymouth associated with the application. The application itself will be available to Council.

Chair Mathews stated that the questions were submitted in February. Chair Mathews stated there were a number of topics he wanted to discuss, but first he wanted to speak about the NPC (Notice of Project Change) and the DEP letter submitted with the NPC and then he would discuss the measure. Chair Mathews stated that the last time the committee met former Chair DiFazio tasked him with wording to amend the measure. Chair Mathews passed out rough draft copies of the amended measure he drafted and asked for feedback from the committee, open to additional or amended language.

Councilor Coughlin commented that he would like to see this moved along. The Master Developer at Union Point cannot move forward without this project and is on hold until there is something that comes together in terms of an initial filing. He is concerned with the number of towns that could dip into the amount of water the MWRA has, where it could get to the point where they no longer have the 7.5 MGD available for the town. He also stated that Speaker Mariano is strongly in favor of this project and as the Speaker of the House but is also nearing the end of his career. If Speaker Mariano were to retire the town would lose that support. The Massachusetts governor is pro-residential and looking for more housing growth. With that in mind, there may be more money that could be available to dip into to help the town with the \$90M to \$120M for the pipeline Weymouth is looking for and that bodes well for the town. Filing an application does not commit the Town entirely to going forward, but if the Town gets locked into the 7.5 MGD it would be worth taking the next steps. He is strongly in favor of moving the process forward as quickly as possible.

Chair Mathews thanked Councilor Coughlin for his comments and stated that his opinion is based on the comments made this evening, even if the committee were to approve tonight, and then report back to the Council it still needs to follow the MEPA review steps and the Interbasin Transfer Act there are a few outstanding issues that he would need to see addressed before he is comfortable moving forward.

Chair Mathews stated he addressed his concerns in the amended measure he would be providing. This would be the first time the administration will view the amended measure, but he is more comfortable with the measure he has amended and not comfortable with the one that currently sits before the committee.

Mr. Langill asked Chair Mathews if he had a copy of the amended measure that he had submitted. Chair Mathews stated that he did have it and he wrote his amended measure off the one provided by Mr. Langill. Mr. Langill then stated he had provided Chair Mathews back in October with three examples of recent communities that have passed their measure. And while it is true that other things need to be done still, in the other communities the Council approval is usually the easiest of those steps. There is some jeopardy in the delay of it especially now for two reasons, one, the MWRA does often ask the status of it and wants to make sure both parties are on the same page, so when they see the Council has not taken it up yet and it has been a while it gives them some thought. Two, which is the bigger issue for Mr. Langill, is that Speaker Mariano announced today at the Greater Boston Chamber of Commerce that he was going to be filing a housing bond bill amendment for this MWRA project.

Mr. Langill did not want to get into the details on what a bond bill was but the earmarks in the bond Bill far outweigh the cost of the bond bill itself. Other earmarks are always a good press release, but you have to work with the administration to release your project. The total of the projects within the bond bill are always more than the total of the bond bill. You have to make the case to get money released for your project. The Speaker will help do that, but not having certain components and looking like this is

getting stalled will not help. Mr. Langill believes there still is time and believes the bond bill may come out in April, but the town would want to be on top of that immediately before losing out because that is an immediate savings to the ratepayers if the state is paying for a portion of the construction costs as that is money that does not have to be added to the rates.

Councilor Abbott commented that the town has a Navy runway taking up a huge portion of land in Weymouth and there is no other feasible way for that not to be there without this process and the town would go back ten years. He wants the committee to keep that in mind when talking about delays and additional money spent as there are thousands of Weymouth residents depending on this project.

Chair Mathews followed up with Councilor Abbott by stating that the delays that have happened in the past as it relates to water and sewer are not the responsibility of the Town Council. Reading the enabling legislation had required the proponent, the Master Developer, to obtain water and it was never the responsibility of the Town Council. With the new Master Developer, the town is being asked to take over the responsibilities of both water and wastewater. Both are still in the enabling legislation today saying that it is their requirement; the enabling legislature at the State House has not changed.

Chair Mathews wants to let him know that the delays are not due to Weymouth Town Council. The Weymouth Town Council has approved every zoning change that has come before them so the delay in his mind has been the SRA.

Councilor MacDougall stated the Council has approved zoning in Southfield to start the project there and has been supportive of the new Master Developer and residents who live in that location. What is important to remember is this measure to obtain MWRA is for the whole town of Weymouth, not a particular part of Weymouth. The Council needs to make sure they are protecting the residents of the town, and the costs associated with the measure. He agrees with Mr. Langill that there is a bit of time, but he does not want to delay the application process. Councilor MacDougall's concern is that he does not want to fall into a situation where the town gets into a contract that later down the road regrets, believing the only way to avoid that is to make sure the language in the measure protects the town.

Mr. Langill responded by stating that he wanted to be clear that what was previously said about this project is not what this measure is about. This measure is the Town Council wants to pursue an MWRA application, The details are separate and will be a separate decision down the road. This measure is simply do you support the Town of Weymouth applying to the MWRA, yes or no? The measure isn't about cost, or the details of the project, does the Town pursue a two-year application process where the details will be ironed out and the administration comes back to the Town Council when the time comes to vote on it and pay for it.

Councilor Coughlin stated that one thing approving this measure would do is eventually get Whitman's Pond and South Cove cleaned up. He believes that the town should make the first step and decide to get the application submitted, the town is not signing away \$120M now to handle this. Submitting the application will show the MWRA and Speaker Mariano that the town is interested in pursuing this and whatever else he can help with and let the gubernatorial and administrative bodies know the town is serious about pursuing these options.

Chair Mathews read for clarification from the MEPA document that was submitted by the Southfield Master Developer in December 2023 regarding their potential permanent water solutions. “The current planning for the Weymouth system, once the MWRA connection is operational, is to abandon the Town’s five-well groundwater system located in the Old Swamp River valley and Route 3 corridor. These existing wells cannot meet current DEP Zone I protection requirements. With the abandonment of the groundwater supply, the Bilodeau Water Treatment Plan (WTP) would also be closed. However, the Washington Street pumping station, Whitman’s Pond Cove, and Great Pond surface supplies would remain in service with the Great Pond system.” That was an official document that was submitted to the DEP that says they are still going to use Whitman’s Pond. Chair Mathews would personally like to see a measure that states if we join the MWRA the Town of Weymouth cease to use the South Cove of Whitman’s Pond.

Mr. Langill responded that that is not what this measure is for.

Chair Mathews suggested that people take the opportunity to read the Department of Environmental Protection comment letter that was submitted with the Notice of Project Change dated January 30, 2024.

Mr. Langill once again stated that none of what Chair Mathews mentioned has to do with this measure.

Vice Chair DiFazio asked Mr. Langill when the Town Council would next be involved in the application process once it had been filed. Councilor DeFazio’s concern is how much it will cost the town to go from the day they vote on the application until the next time the Council would need to be involved to approve any money spent on the project. What will those costs be?

Mr. Langill responded the town has a contract with Environmental Partners for \$360,000.00. Vice Chair DiFazio asked if that was the only cost during that interim period. Mr. Langill said that the amount was for the application process, and it was split, with the developers paying two-thirds and the town paying one-third. Once the project details are known, there will be an opportunity along the way for public comment on everything the town files, but again, this measure is only to pursue an application. Chair Mathews disagreed with that statement.

Vice Chair DiFazio asked Mr. Langill to confirm that not a single dollar will be spent by the town until the project is started and the administration asks for an appropriation. Mr. Langill confirmed that is correct, there is a contract for the two-year application process and the we will only pay one-third of that. Mr. Algrove stated the \$90-\$120M figure includes design and permitting and it would need to be designed before the project is started and that will depend on whether the money is received upfront. Mr. Langill stated that the administration would have to come back to the Town Council to ask for that money.

Vice Chair DiFazio wanted to know what he is exposing his citizens to just by approving the application process, and he understands the need to be looking for water now instead of at the last minute, but he wants to feel more comfortable that he is not exposing his citizens to a large amount of money spent before the project has been started, saying yes to the application process exposes the town to spending money it did not want to.

Mr. Langill stated that was less likely that Speaker Mariano would get funding, to which Vice Chair DiFazio stated verbal promises but he would not count on any state money. Mr. Langill responded that the administration cannot spend any money without Council approval.

Chair Mathews read the original measure as it was submitted by Mayor Hedlund. "That the Town of Weymouth apply for admission to the Massachusetts Water Resource Authority (MWRA) Water System and that the Mayor takes all necessary steps for the town to secure a permanent connection to the MWRA system." Once the engineering design is complete. And if all regulatory permanent permits are secured any construction funding request will be submitted to the Town Council, pending the approval of Weymouth's application by the MWRA. The second part of the first sentence where it states, "The Mayor takes all necessary steps for the Town to secure a permanent connection..." Chair Mathews related it to the billboard agreement where the Council approved the zoning and then the agreement came out and it's an issue they are still dealing with.

Mr. Langill asked to read his drafted amended measure that was submitted back in October 2023. "That that the Town of Weymouth apply for admission to the MWRA Water System for a permanent connection to serve as an alternate public water supply for the Town of Weymouth in accordance with Chapter 372 of the Acts of 1984 of the Commonwealth and that the Mayor take such action necessary or required to apply for said admission. The MWRA requires an affirmation vote by the Town Council as part of the Town's application. Once engineering design is complete, and the regulatory permits are secured, any construction plan and funding request will be submitted to the Town Council subject to the approval of Weymouth's application by the MWRA." Mr. Langill provided copies of the amended measure.

Councilor MacDougall stated to Mr. Langill that his concern is once the Council approves the application the only thing the Council will have control over is bonding, the Council will have no control over the decision-making process around Whitman's Pond or South Cove. Mr. Langill responded that when the Council knows what the town is bonding, they will also know what the project is. The Council does not just vote for a number, the vote is also for the project. Councilor MacDougall stated that bonding could be for many things and Mr. Langill replied that the bonding would be for the construction of the MWRA pipeline. Councilor MacDougall stated that his water concerns include the current state of the town's water system with UAW (unaccounted water), and he worries that if he blanketly applies for this he's signing residents up for potential costs not currently known. Mr. Langill responded that identifying solutions for the unaccounted water is also part of the application.

Vice Chair DiFazio points out that in the amended measure it references once engineering design is complete and the regulatory permits are secured, any construction plan and funding requests will be submitted to Town Council, so there is an amount of work that has to be done between the time the application is filed and administration comes before Town Council to ask for money. Mr. Langill responded that if we needed to spend money, they would need to come to the Town Council for approval. Vice Chair DiFazio's point is that is not referenced in the measure. Vice Chair DiFazio wants to be certain that he can tell his constituents the Town Council approved the application but there will be no more money spent unless the administration comes back before Council and requests it and sees no negative financial reason to not vote yes for the measure.

Mr. Langill reiterated that part of the application process is choosing the route and having a level of design to show, but administration cannot spend money that they do not have so they would need to request it.

Councilor Abbott stated the measure is not a budget authorization by any means, there is no attempt to circumvent the process. Mr. Langill confirmed that there were purposely no dollar amounts attached to the measure because he understood the Council did not want to make that commitment this early due to the questions the Council had. There are going to be expenses before construction when the pipeline were to begin but the measure doesn't give the administration any money to do that yet, and by the time there is something to spend money on the administration will have more answers.

Councilor Coughlin asked for clarification that once they have come up with a route and x number of dollars will be needed at that point the administration would come before Council to which Mr. Langill answered affirmatively. Mr. Langill also added that the measure was worded specifically in such a way that if the town did get an earmark for all of it technically the administration would not have to come to Council for the money and that is why the measure was worded as it was.

Councilor Mathews reviewed the measure he had drafted, taking comments from the DEP letter regarding Whitman's Pond as well as other comment letters that were submitted through the Notice of Project Change, public comments at meetings and language used by Mr. Langill:

The following is submitted to amend Measure 23-083 by striking the language in its entirety and replacing it with the following:

I submit the following measure to Town Council for its consideration and action:

"That the Town of Weymouth apply for admission to the Massachusetts Water Resources Authority (MWRA) Water System for a permanent connection to serve as an alternate public water supply for the Town of Weymouth in accordance with Chapter 372 of the Acts of 1984 of the Commonwealth.

The MWRA requires an affirmative vote by the Town Council as part of the town's application.

Once engineering and design is complete and the regulatory permits are secured, any construction plans and funding requests will be submitted to Town Council, subject to the approval of Weymouth's application by the MWRA."

Furthermore, once the town of Weymouth begins receiving MWRA water, it will immediately permanently stop pumping any water from the South Cove of Whitman's Pond, which is currently classified as a secondary water supply by DEP. All existing wells in the town of Weymouth and the Arthur Bilodeau Water Treatment Plant on Winter Street will also no longer be operational.

Any water agreement with the SRA or any municipality will be required follow MGL Chapter 40 section 4A Intermunicipal agreements to include approval by the Town Council. Any water agreement for securing MWRA water with the Master Developer of the former SWNA shall require a performance bond from the Master Developer to protect the town of Weymouth.

The Town will be required to hold public informational meetings on a biannual basis as part of the application process and until the completion of the MWRA water connection.

Chair Mathews stated that as the Councilor who represents the residents around Whitman's Pond it would be difficult for him to tell those people not only are going to approve MWRA water, but we are still going to keep pumping water out of Whitman's Pond. When Chair Mathews submitted his letter to the EPA regarding the NPC, he stated his concerns about that and that it was different than what was presented to the Town Council during the meeting with Speaker Mariano and Mayor Hedlund. Scott Dowd from the Conservation Commission discussed getting the herring back to spawning at Great Pond. If the town still has Whitman's Pond online, he feels it will be a tough sell with the residents he represents and believes putting that in writing to stop that especially with the DEP classifying Whitman's Pond as a secondary water supply. Whitman's Pond was set up as a water supply in 1965 in an emergency due to drought and we are relying on it more each year. Chair Mathews asked for feedback from other Councilors on his amended measure and is open to suggestions. One sentence he did take out was that the Mayor would have any and all authority to take any action necessary, but overall, the measure is more detailed and does not mention anything financial related.

Councilor MacDougall stated that Chair Mathew's amended measure addresses some of the concerns he has, he likes the addition of the Intermunicipal Agreement piece as he is concerned as to how that is going to work and there is MGL around this topic and he does not believe the Council followed that before, but overall, he is favor of the amended measure.

Vice Chair DiFazio asked Mr. Langill if the administration can commit to the amended measure. Mr. Langill responded that he believes some of the additions are out of the jurisdiction of the Town Council, it will be the State that will tell the us whether they can abandon wells or not, not the Council. Vice Chair DiFazio stated he likes what Chair Mathews has written but does not believe the administration can commit with the design piece not completed yet, there are too many unknowns.

Mr. Langill stated that if the town were to receive 9M+ gallons a day from the MWRA and we have Great Pond providing another 3.63M gallons per day, there is no scenario in which he sees that the town would need Whitman's Pond-- having Great Pond as the backup source.

Chair Mathews stated he read in the NPC by the Master Developer that they were going to continue to use Whitman's Pond and believes they would not have stated that unless they received that information from the town. Mr. Langill stated that was not true. Councilor Mathews said possibly they are making a false statement to MEPA and Mr. Langill responded that they are possibly talking about another scenario such as the phase-in, but he is unsure as to what they are talking about, he cannot think of a scenario where the town would require more than 12MGD. Chair Mathews responded that he is in support of the project, he just wants protection, to which Mr. Langill responded the protection is 12MGD. Chair Mathews said that if they approve the project and they are still pumping water from Whitman's Pond the Council and administration will hear from constituents. Mr. Langill reiterated that not using Whitman's Pond is a state approval and the State would need to approve no longer using Whitman's Pond as an emergency water source.

Chair Mathews stated he would sit down with the MWRA and administration to hear it directly from them with the documentation he has.

Mr. Langill stated the town has had interim water agreements since Mayor Madden was in office, none of which were Council voted. Chair Mathews replied that he always disagreed with that and is curious as to what Braintree will do if the Town of Weymouth has an easement granted through them and an Intermunicipal Agreement is signed if the Braintree Town Council approves that. Mr. Langill stated if

there are those agreements, they are going to be wanting something that is going to need Town Council approval and will look into that.

Chair Mathews stated that if the Town of Weymouth is going to be helping to supply Abington and Rockland's portion of Southfield/Union Point's water he would like to be able to say what is Abington or Rockland paying for this? If the Town receives 15MGD, what are the other towns going to pay because that would be part of his decision making as to whether he would want to go through with a bond.

Mr. Langill stated he would look into further what agreements with the towns would look like, but the interim agreement with the SRA and Master Developers that he would take issue with.

Chair Mathews stated that he is not set in stone with his amended measure and is interested in feedback, if Mr. Langill wanted to take the amended measure back to the Mayor and go from there, he will hold another committee meeting ensuring full attendance due to it being such an important issue.

Councilor Coughlin asked for clarification on the amount of water the MWRA can guarantee the Town. Mr. Langill confirmed that the max amount is 9 MGD, but they can only supply 7.5 MGD right now. The Town is currently using 4.3 MGD and we have the potential for 12 MGD, but that 4.3MGD is less than we have been using in the past few years. Adding a full build-out of Southfield/Union Point there is still plenty of water left. Councilor Coughlin then asked about the number of housing units approved, of 1,700 approved, 1,000 are online and use about 66,000 gallons a day which is a fraction of a percent in terms of usage/supply. Southfield/Union Point has approximately 1,270 units and they use anywhere between 100k and 120k at peak usage. Joining the MWRA would give us nearly three times the amount of water needed without having to dip into South Cove or Whitman's Pond.

Chair Mathews reminded Councilor Coughlin that in his scenario that would be if the town were hooked up at full capacity right away, but it will not be and will be a phased in approach, so those gallons won't be available to the town. He also mentioned three other apartments going online this summer, 400 on Washington Street, 275 further up Washington Street across from Previte's and 150 units at the former Elks site. That does not include the redevelopment in Jackson Square that will take place.

Mr. Langill reiterated that the town has had over 1000 units go online recently the usage has only been 66,000 gallons which is minimal. Mr. Langill also wanted to point out that because the Town would not receive the full supply immediately that may be another reason the State will not allow the town to abandon Whitman's Pond as an emergency backup. Chair Mathews responded that he personally wants to see it abandoned and asked if the town puts that in writing in a measure why would that not hold any value? If the legislative branch puts that in writing and submitted it to the executive branch, to which Mr. Langill responded that it is not a legislative decision, it is the agencies that make the decision. Chair Mathews believes the DEP would be 100% in support of it as well give the NPC comment letters that were written.

Councilor MacDougall suggested softening the language of the measure and Councilor Coughlin suggested instead of "...once the town of Weymouth begins receiving MWRA water, it will immediately and permanently stop..." it instead says it is the intent of the town. Councilor Mathews suggested adding, "subject to the approval of the DEP" to the end of the sentence.

Councilor Abbott stated that he was struggling with the addendum. He appreciates the changes made by Mr. Langill and it could have been read as giving too broad of powers to the Mayor, the edits make the

measure clearer as to what is being asked. Mr. Abbott does not understand why the committee is confusing this measure for Town Council involvement in the process or even approval process, it is not how the town is structured. The Town Council does not have executive approval in all processes or agreements with the SRA and injecting that does not seem like an effective way for the Council to operate.

Chair Mathews replied when he reads Mass General Law Chapter 40 it states that any municipal agreements in a city form of government should be approved by City Council.

Councilor Abbott asked if that is already on the books then why does it need to be included in the measure?

Chair Mathews stated his personal opinion is that the Town of Weymouth has not followed MGL Chapter 40 on the interim agreement for water.

Councilor Abbott stated that his point is that this measure is not the method to solve that issue of whether or not the town has or has not been following the law and that is unrelated to the Council approving the application to the MWRA nor is it about oversight of the water supply, future plans of the water system, or what it may look like in 5, 10, 15 years, it is only the application piece. This measure is not about trying to change the way the Council interacts with the administration due to oversight the committee wished they had or past bad experience with the administration. If there is interest in empowering the Town Council and changing the way the Council and administration operate then that deserves its own measure and discussion with whatever subcommittee is appropriate. This measure is about an application for the MWRA, not changing the essential functions of the main parts of government for the Town of Weymouth and adding those things it takes away from the main point of the measure. The whole point of the measure is an application for the MWRA not about a power struggle between Town Council and the administration.

Vice Chair DiFazio asked Mr. Langill if he could remove the last line of the first paragraph “And the Mayor take such action necessary required to apply for set admission.” Mr. Langill responded yes because the Mayor has inherent powers so when the administration files the MEPA filing that is his power to file it on behalf of the town.

Chair Mathews recommended that his colleagues also read Operational Policy number 10 of the MWRA, it does give the Council authority, otherwise the administration would not be in front of the Council now,

Councilor MacDougall asked Mr. Langill to provide examples of what other towns put into their measures or agreements for their application process. Mr. Langill stated that he provided three examples in October 2023 for three communities and at least one of them had a dollar amount associated with the measure in their application process to ensure that some things are bound to before filing, but as he stated earlier in his conversations with this and the former committee members were not prepared to vote on spending so early in the process while other towns do so that’s why he specifically did not associate any funding with the measure and kept it the approval of the application process.

Mr. Algrove commented that other communities are not as complicated as this extension is, most of the communities in the past decade that have connected to the MWRA already had existing connections and they were just opening them up and this project is a much more unique and complicated situation.

Councilor MacDougall referred to reading the contracts of the towns of Burlington and Lexington which were simpler, putting a pipe and connecting and it would cost x amount. Mr. Algrove agreed that they could look at their situation immediately and know what needs to be done.

Councilor MacDougall replied to Councilor Abbott's comments and said he preferred to see protection on the Town, the interim agreements and Intermunicipal Agreements are important because once the Council approves this, there is no protection and the history of this town has been to not follow MGL Chapter 40. Mr. Langill asked for an example of the town not following MGL Chapter 40.

Councilor MacDougall asked Chair Mathews to provide an example of a time there was a water agreement and the Council did not get to vote on it. Chair Mathews said there were other agreements regarding water. Mr. Langill asked what the other municipality was involved in an Intermunicipal Agreement. Chair Mathews did not have an example to provide. Councilor MacDougall stated he was not sure it was about water, but it was an Intermunicipal Agreement. Mr. Langill stated he said it was a water agreement and Councilor MacDougall stated he misspoke.

Chair Mathews said his intentions are to protect the Town of Weymouth. Mr. Langill stated that he wanted to go back and review Chapter 40 for Intermunicipal Agreements because if the Town Council has to vote on them, so be it and he is not against it. He will also review with the Town Solicitor, but an interim water agreement and an Intermunicipal Agreement are two separate things.

Chair Mathews stated he would review the examples of other towns that were provided by Mr. Langill to the committee members and requested to have another meeting to provide feedback. He believes those examples were from towns with a town form of government and he is hoping for more examples of city forms of government for specific language. Chair Mathews would also like to see if anyone can reach out to the DEP from the administration to see if they had any thoughts on Whitman's Pond and the classification as a secondary water supply, and whether or not language could be added to the comments of the MEPA application.

Councilor Abbott stated he hopes there will not be a long layover between meetings because this issue is important and should not sit on the backburner. Councilor Coughlin agreed.

Councilor MacDougall stated it is important to recognize the need for water and the desire to shut down Whitman's Pond and South Cove and that the committee will work out what we need for this measure and move forward.

Chair Mathews stated that as an individual Councilor he believes this is one of the most important decisions he will make as a politician and one of the most important decisions in the Town of Weymouth in the next 100 years, more important than a school or library because it affects the entire town. He is personally uncomfortable due to the lack of detail and feels like he would be unable to answer constituents' questions if they asked what he voted for if he were to vote yes right now. Mr. Langill asked if they could discuss the next meeting and make a goal to bring the measure to the full Town Council at the May 6th, 2024 meeting to which Chair Mathews agreed. Vice Chair DiFazio asked Mr. Langill to make sure the committee received a copy of the water plan and UAW.

At 8:22 p.m., there being no further business, Chair Mathews entertained a motion to adjourn. Councilor MacDougall made a motion to adjourn which was seconded by Councilor Coughlin. UNANIMOUSLY VOTED.

Respectfully submitted by Kim McCutcheon as Recording Secretary

Approved by Chair Arthur Mathews
Public Works Committee
Voted unanimously on 22 April 2024