



COHASSET SEWER COMMISSION
Meeting Minutes

Monday, August 2, 2021

In Attendance: William McGowan, Chairman
Wayne Sawchuk, Clerk
Paul Kierce, Member
Brian Joyce
Don Piatt
Dan Coughlin
Rod Hoffman

Meeting Open: 11:03am

Next Meeting: Tuesday, August 17, 2021 @ 11:00am Regular Meeting

380, 390, 400 Chief Justice Cushing Highway:

Present: Attorney De Lisi, Donald Staszko, Mark Negrotti

De Lisi and Hoffman have exchanged emails regarding the draft agreement.

Attorney Hoffman opens discussion that the main issue is the prevailing wage. In the previous drafts of the agreement anticipates prevailing wage and a credit up to 50% is where the commission stands. De Lisi argues that prevailing wage doesn't apply since there are no funds from the town going into the construction of the line. There is no guarantee that anyone else will connect to the line. Mr. Staszko is building the line and the money the town is accepting for the connection fee is not being utilized for the construction of the line. Wayne Sawchuk agrees with De Lisi.

Sawchuk refers to email from Don Piatt regarding the appropriate interest rate: Prime rate (3.25% pls 2). Hoffman drafted it as the current prime rate for 20 years. De Lisi questions where the idea of prime rate came from. Discussion regarding prime rate continues. Everyone in agreement with 4% interest. Bill McGowan wants to keep 50%, 20 years, no cap. Remove \$700,000 from agreement. Don Piatt questions not having a cap. If we leave it without the cap - it helps the argument on the prevailing wage. Because we are taking a fee on a tax and given financial consideration on another tax. De Lisi concerned about paragraph 1.2C which requires an evaluation of downstream sewer and that client pays fees to upgrade anything downstream. Based on the design flow there will be about 17,000 g/day additional. However, if there is already wear and tear on the system now, why should the client pay for existing wear and tear? Additionally, adding language about it being direct impact and if there is an upgrade needed and any of the fees are tackled proportionately, to the amount of flow. We need to ensure the system can take the extra flow and if catastrophe occurs because of the new connection, then developer should be proportionately responsible. Estimate 1/3 of cost until data is available. Water consumption data is used for billing.

Recap: Straight 4% on the interest; 50% share for 20 years; Section 1.2C of agreement: 1/3 or actual data for percentage of use.



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Red Hoffman recitals in page 2 has always been described as forcemain, but now it is described as gravity. The language should be described as sewer line (not specifying gravity or force main). Mark Negrotti discusses the reason they want to use gravity fed line versus forcemain line. Basically it is cheaper and easier to install and easier to maintain. Brian Joyce questions if 50% reimbursement is on construction costs and how does the town keep track of that. 50% reimbursement is on connection privilege fee (if/when someone else wants to connect to that specific sewer line). Joyce agrees with upfront capital to fix pump station and agrees with 1/3. Paul Kierce questions what is needed to get this in front of DEP. De Lisi understands that the town has a date in September to reach Safe Harbor. We need occupancy in September - sewer line will not be constructed by September. A temporary solution would be approval of Tight Tank on property. They are meeting MA DEP who is the permit planning authority, hopeful they can have that prior to the deadline, and move along to finalize the construction. What if the DEP does not accept tight tank? De Lisi says nothing happens if the deadline is not met, construction still goes on. The town filed affordable housing and we are under Safe Harbor. Deadline is to have it counted on the 2020 Census so that Cohasset has grant opportunities. If September deadline isn't met for the 2020 census, grant opportunities go away. De Lisi confirms 5 units are going to be affordable (25%) but all 20 units (100%) will count as affordable

Don Piatt questions the 30 Year affordable units and not in perpetuity? De Lisi responds that there has been a regulatory agreement recorded at the registry of deeds, it says in perpetuity, but there is a regulation that at any given time can be subject to change in the future. The issue was discussed at the zoning level and it was agreed it would be by deed (30 years). Joyce responds that if its only 30 years we are only 2 census away from being in the hole again. Paul will check on it. De Lisi responds that it's a done deal at this point anyway - its deeded.

Everyone needs to see the final agreement before it is executed.

9 and 15 Diab Lane: Andrew Gallagher present to request an extension on #9 and #15 Diab Lane September 16, 2021 sewer connection deadline. Gallagher is a custom home builder in Cohasset, in process of purchasing both lots from Mr. Shannon. Due to Covid19 Pandemic delays he may not meet the September deadline and is requesting an extension. Offering a bond on each lot for a 6 month extension. McGowan explains that the sewer connections have been extended numerous times. Sawchuk elaborates that an extension, of a year can be given if the sewer connection privilege fee is paid in full up front. McGowan in agreement with Sawchuk. Discussion and explanation of how the Diab Lane lots received the EDUs and extensions. Gallagher should be talking to Shannon for the sewer connection privilege fees. Extension request is denied.

Town Owned Grinder Pump Program:

All signed releases will be divided between McGowan, Sawchuk and Kierce for signatures, and notarized and sent to registry of deeds for recording.

Other Business:

None

Meeting Adjourned: 12:30pm

MOTION: Bill McGowan motions to adjourn, Paul Kierce seconds. All in favor