

TOWN OF NAHANT

SPECIAL TOWN MEETING

Held: Monday, September 27, 2021



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COMMONWEALTH OF MASSACHUSETTS

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4 1 Sewer Capital

NAHANT ANNUAL TOWN MEETING

Monday, September 27, 2021, 7:10 p.m.

TOWN MODERATOR: Okay. So, as I said, I've checked out the return of service and everything is in order so we can proceed.

And Jeff Antrim will give us -- will lead us in the Pledge of Allegiance to the flag. Jeff?

Josh, sorry. Josh going to do it.

(Pledge of Allegiance Recited)

TOWN MODERATOR: Thank you, Josh.

(Applause)

TOWN MODERATOR: All right. So, we have some non-voters on the floor; Hannah Chadwick from the Item, Jeff Blake, Matthew Vadetta, Tony Barletta, Zach Taylor, Tom Simbro, and Stephanie Salerno.

Are there any other non-voters on the floor?

Yes?

MS. TAMBRY: Allison Tambry (ph).

TOWN MODERATOR: Allison, all right. All right. You're on.

Okay. I think we're ready to go, and so, we will call Motion Number One.

Julie Tarmey.

MOTION NUMBER ONEARTICLE 1

MS. TARMEY: I move that the Town appropriate the sum of \$3,000,000 to pay costs of improvements to the Nahant sewer collection system, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under General Laws, Chapter 44, Section 8, or any other enabling authority, and to issue bonds or notes of the Town therefore, that all or any portion of this amount may be obtained through the Massachusetts Clean Water Trust, (The Trust); that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the project, and to enter into any agreements with the Trust or the Department of Environmental Protection of the Commonwealth that may be necessary in order to obtain assistance through the Trust, and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out this project, and that any premium received upon the sale of any bonds or notes approved by this vote less any

1 premium applied to the payment of the costs of issuance
2 of such bonds or notes may be applied to the payment
3 of costs approved by this vote, in accordance with
4 General Law, Chapter 44, Section 20, thereby reducing
5 the amount authorized to be borrowed to pay such costs
6 by a like amount.

7 TOWN MODERATOR: Seconded by Ms. Warren.

8 Discussion on the motion? Mr. Barletta?

9 MR. BARLETTA: Good evening. My name is Tony
10 Barletta, I'm the Town Administrator and I want to
11 thank you all for coming out tonight.

12 I was very nervous this morning throughout the
13 day that we wouldn't get the quorum, so I really
14 appreciate all of you coming tonight on this important
15 subject, and for that, I will be very brief.

16 But we have everyone here that can answer any
17 questions about this issue that you might have before
18 we take the vote.

19 Tonight, the motion is to authorize the borrowing
20 of an additional \$3,000,000 for this major capital need.
21 Our most important capital need is our sewer force main
22 pipe, so the pipe that takes all of our waste water
23 from the Ward Row pump station to the treatment plant
24 in Lynn, and this project is focused on the section

1 of the pipe that's in most critical need of repair
2 from the rotary to the treatment plant.

3 Now, we have previously borrowed funds, and if
4 you read the letter in the first page of the book,
5 you know the story.

6 But we've previously borrowed funds for this
7 project. We've procured an engineering firm to do
8 an assessment and essentially tell us all of our
9 possibilities and options to make these repairs,
10 selected the most cost effective timely option to
11 make those repairs, and we've now gone out to bid.

12 The lowest bid that we received, while higher
13 than our estimated cost, is a highly qualified
14 competitive bid, and it's actually a good price for
15 the current economic environment.

16 And lastly, I'll say is that after -- the last
17 time we talked about this in September of 2020, the
18 day or two days after that meeting, we experienced
19 another sewer main break, and Mass DEP hit us with an
20 administrative consent order that requires that we
21 make this repair by the end of this calendar year.

22 So, really what we're up against here is, first
23 of all, the need, because we've spent over \$2,000,000
24 in repairs in the last three years, a requirement

1 under the administrative consent order to make this
2 -- to get this job done by the end of the year,
3 and waiting, we risk more costs to the Town because
4 of either additional breaks, fines under that
5 administrative consent order, or having to re-bid
6 the project and potentially getting higher bids under
7 that environment.

8 So, as I said, we're happy to answer any questions
9 that you might have. Tom Simbro from Wright Pierce, our
10 engineering firm is here and can answer any technical
11 questions, as well. Thank you.

12 TOWN MODERATOR: Thank you.

13 Further discussion on the Article?

14 Yes, sir? Please stand at the podium and identify
15 yourself and your --

16 MR. SPIRN: Hi. I'm Paul Spirn, and I live on
17 Maolis Road.

18 Tony, would I be wrong if I observed that a lot
19 of our trouble with our sewer mains occurred on the
20 Lynnway in an area that over the past couple of years
21 has seen a terrific amount of construction?

22 MR. BARLETTA: No, you wouldn't be wrong, however,
23 we've found that a lot of the cause of the breaks that
24 we've experienced isn't from construction, it's actually

1 from electrolysis.

2 So, we have a pipe that was installed in the
3 early '80's that the material of that pipe suffers
4 from corrosion caused by electrolysis, which under
5 the Lynnway are existing gas mains, electrical conduit,
6 and it's sitting in a salt marsh.

7 So, essentially, stray current finds its, you
8 know, closest point to ground, hits our pipe, and that's
9 where a lot of the corrosion, where the breaks have
10 been caused by. Instead of like a break that you would
11 see where the pipe splits in a nice form, it's like a
12 corroded hole like the size of a football or a softball
13 or things of that nature.

14 So, the fix, the repair job that we're proposing
15 is a plastic product that has a 50-year life span and
16 doesn't suffer from that same corrosion activity.

17 MR. SPIRN: Okay. I assume that the new material
18 you're putting in more or less follows the course of
19 the preexisting piping; is that right?

20 MR. BARLETTA: It actually sits in the existing
21 pipe.

22 MR. SPIRN: Okay. Couldn't be closer.

23 So, I presume also that we have an easement to
24 use that right-of-way across property which I guess

1 is mostly Lynn, I don't know, maybe some of it is
2 state property, but in any case, what protects us from
3 a situation where physical damage really is done to
4 the pipe when it's not on Nahant property?

5 MR. BARLETTA: It's a good question. I mean,
6 in any situation that we've ever experienced, even in
7 Nahant, on Nahant property, if National Grid was doing
8 a job, if a private contractor was doing a job and
9 they struck our pipe, they would -- we would essentially
10 go after them for the cost of that repair, or they'd be
11 forced to repair it right then on the spot.

12 MR. SPIRN: Right. So, it's part of your due
13 diligence when there's damage to our equipment to see
14 if anyone else is responsible?

15 MR. BARLETTA: Yes, yes.

16 MR. SPIRN: Okay. Thank you very much.

17 TOWN MODERATOR: Thank you.

18 Further discussion on the motion?

19 Yes, sir?

20 MR. LEWIS: Jeff Lewis, 6 Ellsworth Road.

21 Question on useful life. I ready the engineering
22 summary, and you're recommending the slip line, and they
23 also said that that section, the Lynnway section, was
24 experiencing up to 76% corrosion.

1 Does that have any impact on the useful life of
2 the product?

3 MR. BARLETTA: Well, I will -- I've asked this
4 question myself, so I'll attempt to answer it myself,
5 but jump in if I get anything wrong.

6 The slip line, the plastic pipe that we're
7 actually inserting inside the existing pipe, will
8 become the new pipe. It is structural, it is sound,
9 it has 50 year life.

10 So, it uses the existing pipe to pull through,
11 but once this project is done, the outside, the old
12 pipe, can corrode to nothing and it will not impact
13 -- the structural integrity doesn't rely on the old
14 pipe that can disappear; correct.

15 MR. LEWIS: That's my question.

16 TOWN MODERATOR: Thank you.

17 Further discussion on the motion?

18 Yes, ma'am?

19 MS. ROGERS: Bea Rogers, 44 Pearl Road.

20 This obviously is non-optional, I am not proposing
21 that we rethink it.

22 But I'm just curious if there's a lot of federal
23 infrastructure money floating around, is there some
24 way that we might access that now or in the future?

1 MR. BARLETTA: Thank you, Bea.

2 There's certainly federal and state funds out
3 there that we can -- that we will be pursuing actively,
4 even beyond this job. Unfortunately for us, we are
5 in a tight timeline.

6 MS. ROGERS: Yes.

7 MR. BARLETTA: So, we reached out to the state,
8 because the Governor just announced that he was going
9 to be using a lot of his American Recovery Act money
10 towards sewer infrastructure, but the process that
11 that is going through the legislature is going to be
12 -- it's going to take too long.

13 So, there is -- when you read the administrative
14 consent order and all the different things that we're
15 required to do and look at, there is a lot of sewer
16 infrastructure and water infrastructure that, you know,
17 we have to take care of in the future, and that's where
18 we're going to use -- we're going to try to get money
19 from the federal government and the state government
20 to help us with that.

21 Under this motion, it's read to allow us to borrow
22 under the Trust. In September of 2020, the Town approved
23 a \$4.6 million borrowing through the Trust. It's a low
24 interest loan, it's 2.25%, whereas if the Town were to

1 borrow ourselves, I think it's 3% -- or I'm sorry, the
2 loan is 2% and then Town would be 3.5%.

3 So, when this occurred, we reached out to the
4 Trust and we asked them if we were to go to Town Meeting
5 and ask for additional borrowing, could we take that
6 authorization and add it to our previous award under
7 the low interest loan program, and they said yes.

8 So, it saves us about a half a million dollars
9 going through their program versus borrowing it on our
10 own. So, we are taking advantage of a state program,
11 unfortunately, it's a loan and not a grant, but we'll
12 definitely be pursuing those other funds for future
13 projects.

14 MS. ROGERS: Thank you.

15 TOWN ADMINISTRATOR: Thank you.

16 Further discussion on the motion?

17 Yes, ma'am?

18 MS. GRADY: Hi. I'm Ann Marie Grady. I live
19 at 4 Rosemary Road.

20 And I've been reading the words in the Article,
21 and I'd like to know what the price cap is on the
22 authorization? It says any amount greater than
23 \$3,000,000. Seems to me that goes to infinity.

24 MR. BARLETTA: So, it's kind of standard

1 language for an Article to say that. Bond counsel
2 wouldn't allow us to borrow a significant amount
3 over \$3,000,000.

4 I think the point of that language is if it ends
5 up being like \$3,000,001, you know, a little bit more
6 or a little bit less, --

7 MS. GRADY: Why couldn't it say \$3,000,000 plus
8 or minus ten percent or twenty percent, or --

9 MR. BARLETTA: Jeff, do you mind answering
10 that question?

11 MR. BLAKE: No.

12 MR. BARLETTA: Jeff Blake is our Town Counsel.
13 Like I said, it's more of a legal language question.

14 MR. BLAKE: Good evening everyone and thank you
15 for having me. As you know, my name is Jeff Blake.

16 The Article itself said essentially \$3,000,000,
17 more or less, but the motion --

18 MS. GRADY: More or less?

19 MR. BLAKE: -- but the motion said \$3,000,000,
20 so when we look at authorization to borrow, through
21 this motion, you've only been authorized to borrow
22 \$3,000,000. That, of course, includes any lesser
23 amount, but not any greater amount.

24 MS. GRADY: That is the cap then?

1 MR. BLAKE: So, that's the cap.

2 MS. GRADY: Thank you.

3 TOWN MODERATOR: Thank you.

4 Further discussion on the motion?

5 Yes, sir?

6 MR. BARBA: Pete Barba, 22 Emerald Road.

7 Because this is a loan, are we able to apply
8 for grants and kind of back-pay that loan?

9 MR. BARLETTA: We're certainly going to try.
10 Usually, I'll be honest, usually, it's not a very
11 competitive request when there's, you know, so many
12 towns, and especially when it's sewer infrastructure
13 dollars, it's millions and millions of dollars. Every
14 town is facing the same struggle.

15 So, it's not very competitive when you're asking
16 for money to pay back for a project that you've already
17 built, but we're definitely going to try.

18 TOWN MODERATOR: Further discussion on the motion?

19 Yes, ma'am.

20 MS. BARBACOFF: Gloria Barbacoff, 22 Fox Hill Road.

21 I had a question about the plastic, this pipe slip.
22 Is there any danger of it degrading and polluting the
23 environment? Does anybody know that?

24 MR. BARLETTA: Tom is shaking his head no.

1 MR. SIMBRO: The pipe that we're using is all
2 NSF 61, which means it's made to go over water.

3 MS. BARBACOFF: Okay.

4 MR. SIMBRO: And the life of the product is a
5 minimum of 50 years.

6 MR. BARLETTA: So, Tom said the product is made
7 for this job and it has a life span of a minimum of
8 50 years.

9 MS. BARBACOFF: Okay. Thank you.

10 TOWN MODERATOR: Further discussion on the
11 motion?

12 Yes, ma'am.

13 MS. DOLAN: Janet Dolan, 45 Pleasant Street.

14 My question is, what is the plan for the future
15 in terms of maintenance of this new pipeline or piping
16 going in?

17 MR. BARLETTA: Well, the design of this new
18 project actually enhances our ability to maintain it.
19 Under the current structure, it has air release valves
20 along the pipe that have been somewhat inoperable or
21 tough to get at.

22 So, through this project, we're actually going
23 to build larger manhole areas that we can access and
24 better maintain this pipe.

1 Once this job is complete, there are other sewer
2 needs that are going to rise above in priority, like
3 the Willow Road main or the other functions of the Ward
4 Road pump station and other aspects of our system. It
5 should be pretty good, but like I said, we're going to
6 actually enhance our ability to maintain this pipe
7 through this project.

8 MS. DOLAN: Okay. Thank you.

9 TOWN MODERATOR: Thank you.

10 Further discussion?

11 Yes, sir?

12 MR. ROBERTS: Sean Roberts, 17 Highland Road.

13 I call the vote.

14 TOWN MODERATOR: Ah, the vote has been called for.

15 So, two things. First of all, we have to vote
16 on the motion to call the question, and two-thirds is
17 required, no debate.

18 So, those in favor of calling the question,
19 signify by saying "Aye."

20 ATTENDEES: "Aye."

21 TOWN MODERATOR: Those opposed, "No."

22 Unanimous vote in favor.

23 (Applause)

24 TOWN MODERATOR: So, I love unanimous votes.

I mean, it just does everything for you, and this is a borrowing Article, so we need a two-thirds majority for this motion, as well.

So, now we're going to vote on the motion, and if we got another unanimous vote, then we wouldn't have to stand up and count, so that would be very nice, but it's up to you guys.

So, those in favor of the motion, signify by saying, "Aye."

ATTENDEES: "Aye."

TOWN MODERATOR: Those opposed, "No."

Unanimous vote in favor. So approved.

(Applause)

TOWN MODERATOR: Thank you all for coming tonight.

We were all a bit worried, but we know the Town wants to make the Town.

And Bea, how is it that you can speak through your mask and everybody can understand you and nobody else?

The business of this meeting being completed,
this meeting stands dissolved.

(Special Town Meeting Concluded at 7:30 p.m.)

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C E R T I F I C A T E

I, Susan M. Lobie, Certified Electronic Transcriptionist and Notary Public for the Commonwealth of Massachusetts, and a Court Approved Transcriptionist for Office Solutions Plus do hereby certify that the foregoing is a true and accurate transcript prepared to the best of my ability, from audio recordings provided to me by the Town of Nahant, Massachusetts in the above-entitled matter, of the Special Town Meeting held on Monay, September 27, 2021.

I, Susan M. Lobie, further certify that the foregoing is in compliance with the Administrative Office of the Trial Court Directive on Transcript Format.

I, Susan M. Lobie, further certify that I neither am counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not financially nor otherwise interested in the outcome of the action.

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DATE: November 15, 2021

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My Commission Expires March 3, 2028