

APPROVED
TYNGSBOROUGH SEWER COMMISSION
MEETING MINUTES
Tyngsborough Town Hall
Meeting Room #1
January 8, 2026

Commissioners in Attendance:

Brian Martin, Chair
Fred Perrault, Member
Darryl Wickens, Member

Others in Attendance:

Kathleen Cayer, Administrator
Paul Provencher, Senior Foreman
Jake Zwicker, Superintendent/Town Engineer, Dept of Public Works
Jim Rivard, Woodard & Curran
Dan Scott, Woodard & Curran

Meeting opened at 6:00 p.m. by Chair

Item 1.) Citizen's Time

None

Item 2.) Phase 2 Sewer Project

None

Item 3.) Old Business

a) Phase I West Discussion

1) 50 Westford Road

None

2) 44 Old Tyng Rd (Building 3) Bada Bloom, Inc

Present: Michael Marinaro (CEO, Bada Bloom, Inc)

Tara Hopper (Co-founder and General Counsel, Bada Bloom, Inc)

The building was connected to Town sewer back in September 2022, and the line was capped in the manhole. In November, 2025, work was being done with water-oil separator. The representatives are appearing before SC to provide information that was missing from their previous meeting, including updated flow numbers, engineering plans, and a written procedure detailing the growing process. Their engineers sent estimated flow numbers of 225 gpd. At their previous appearance before SC, they were asked how much more it would increase once all calculations from the fertigation room were included. The building has 1 ERU, which is a 330 gpd available allotment. Mr. Marinaro explained that the estimated flow numbers provided by their engineers considered 15 employees in the building, and did not factor in cultivation or manufacturing water usage calculations. The business uses 50 gpd of water in their manufacturing and 2 gpd (per room) for pressure washing the cultivation rooms. This would bring the new flow estimate to about 287 gpd. SC suggested the possibility of the business obtaining an irrigation meter in order to have a separate measurement of water usage for cultivation rooms.

Mr. Marinaro noted that their business does not use any types of solvents for manufacturing and only organic cleaners in the cultivation rooms. He will send engineering plans to KC via email. W&C will review calculations from Bada Bloom engineers and requested something in writing that documents their reverse osmosis process in the cultivation rooms.

3) Signature on Mobile Line Agreement

At the last SC meeting on November 13, a vote was taken to accept the sewer line that the Mobil station on Westford Road had installed. KC prepared a basic written agreement to formalize that the Sewer Dept has taken over the line, now that a third party, Tyngsboro Sportsmen Club, has connected. The agreement was reviewed by JZ, who had some minor changes, then it was sent to SC to review. SC signed the agreement, and KC will send it to the other relevant parties to get their signatures as well.

4) Signature on Privilege Fee Covenant – 16 & 20 Kendall Rd

The properties were approved to connect to sewer, including extra ERUs and privilege fees. The owner requested a covenant with SC to finance the privilege fee. This covenant will be registered at the Middlesex Registry of Deeds. SC signed the privilege fee covenant.

5) 130 Middlesex Rd Plaza Capacity

Plaza owner requested an explanation of the letter from SC regarding capacity. At the last SC meeting on November 13, it was noted that since the Thai Elephant restaurant went in, the parcel (which includes the plaza and Cazadores) has exceeded its allotted flow under the betterment agreement, for each of the last 3 quarters of water readings.

Therefore, the owner needs to purchase an additional 2 ERUs of capacity to cover what is currently being used. Since there is no capacity available to purchase, SC determined he should pay for 2 of the 4 ERUs he had previously been allotted, and had set aside for his upstairs residential units. He plans to attend the SC meeting on January 22 to further discuss the situation, including possible ways to lower water usage in his plaza in order to remain at or below his allotment.

b) Discussion on sewer garage

It was agreed that this topic could be removed from the agenda, since there will be no information about this in the foreseeable future.

c) I/I Program

DS (W&C) reported that they had their flow assessment team go back out to where the flow from the Charles George landfill site is measured. They went out at the end of November to install another meter and put some instrumentation on the pumps. They were able to get some data on run times and flow. Results were in congruence with one another.

Approximately 14,000-14,500 gpd between November 20 and December 1. Measurements at the pumps showed 12,200 gpd. There is no longer a significant discrepancy in the readings. The quarterly report from DEP will be the last piece of data to review. DW had requested that data from Progress Ave and Trader Circle parcels be compared to PP's mission data. From December through March (while sprinklers are not running), between PP's meter runs and the water meter readings for all that area, there was a difference of 221 gpd. During the summer there was a 10,000 gpd difference, confirming that high water use is due to sprinklers and is not actually going into the system. Question remains as to where the flow is coming from. KC presented a graph of flow readings from May until December, comparing Middlesex Road meter readings vs. the amount of gallons going through the Bridgeview Circle pump station and the Middlesex Road pump station (per Mission). There was also a line showing the percentage of how much the Middlesex Road pump station meter readings were higher than the Bridgeview pump station's readings (per Mission). From May through August and part of September, readings were a lot higher than Bridgeview was showing for flow. May, June, and October had high rainfall amounts compared to other months. The meter at Middlesex Road was calibrated in September, and it was determined that it was running high. There is uncertainty as to whether the readings were elevated due to the excessive rainfall months or to the high calibration of the meters. There are housing developments on Middlesex Road that have had some flooding issues, and may have added the option for sump pumps to be put in. JZ took the difference between meter readings on Worden Road and Middlesex Road over each year. Charles George side appeared to be decreasing and Middlesex Road was increasing. This took place at the time the new development was being built. JZ posited that capacity grant funds could be used to do some

smoke testing to confirm whether or not sump pumps are in use. SC approved use of I/I capacity grant funds to do some smoke testing and investigation on Middlesex Road.

DS would like to do W&C to do CCTV again on Constantine Drive. Nighttime measurements in the previous month confirmed meter readings showing that groundwater measurements dropped between June and July. He confirmed there are sufficient I/I capacity grant funds available to do this as well. DS also informed that the plans for use of the funds should be reported to the EPA before beginning any work. KC stated that the Sewer Department should provide something in writing to EPA to let them know that more investigating will be done using the funds, since the second section of funds was originally geared towards rehab and review.

d) Future Sewer Phases

First drawdown of MVPC grant was submitted. This \$29,000 grant will partially fund the Phalanx pump station project design. The remainder is budgeted for FY27 for W&C to finish the design. Test boring went well, according to PP.

e) Flint's Corner Development

Applicant and his attorney requested a continuation to the SC meeting on February 12, 2026.

f) Tyngsborough Housing Authority-Brimley Terrace-request to connect

BM suggested approval for the sewer tie-in so that they could move forward with their design plans, which won't be underway for a year. SC requested W&C to lower Flint's Corner reserve flow allocation to 20,000 gpd.

FP: Motion to approve the Tyngsborough Housing Authority flow

2nd: DW

Motion passes 3:0:0

g) Bridlevale-120 Pawtucket Blvd

None

h) Asset Management Plan

JR reported that a kickoff meeting with the Town and the team from W&C would be held on Monday, January 12. W&C developed a risk model with consequence of failure and probability of failure to be presented to all relevant parties. W&C also prepared an outline for the Asset Management Plan itself to ensure it aligns with goals and future use. They plan to present a map showing where CCTV was done, and consequence of failure and risk maps. This will help determine best spots to do CCTV in the spring. Any I/I issues will be visible then. W&C will compile an asset inventory of all pump stations. Each will be evaluated by PP for risk assessment.

Item 4.) New Business

a) Topics that the Chair did not reasonably anticipate would be discussed

KC reported that they received a request for 46 Middlesex Road to connect to sewer. They had requested and were approved to connect back in 2020, but they never filed an application or paid the connection fee. In July 2024, they were sent a certified letter requesting that they apply within 30 days or the flow would not be reserved. They did not respond to the letter, but the resident is now requesting to connect. There had been a waiting list of applicants for when capacity became available. BM requested that KC bring that waiting list to the next SC meeting before they respond to the request to connect for 46 Middlesex Road.

b) Request for work session to discuss User Fee Rates

User fees approved three years ago will expire June 30. If there is a possibility of raising the rates, it should be discussed soon since there is currently nothing in the FY27 budget plan addressing this. SC agreed to meet Thursday, January 22 at 5:00 PM, prior to their scheduled meeting at 6:00 PM.

Item 5.) Sewer Administrator's Report

a) Meeting minutes to approve from 11/13/25

FP: Motion to approve meeting minutes from 11/13/25 as printed

2nd: DW

Motion passes 3:0:0

- b) Bills warrants to review**
SC reviewed bills warrants

Item 6.) Senior Foreman's Report

There was an electrical issue at Willowdale Ave that was fixed. An overtemp at Sequoia was also resolved. The pump at Audrey Ave, which was 17 years old, was replaced with a spare on hand. PP will order a new spare pump for that station. Bridgemeanow Brook air release valves were fixed. The work was covered under warranty. Scherbon generator for Audrey Ave is in, and they are just waiting for a date to install it. Spare pumps for Elm St and for Mascuppic Trail are in, as well as universal transfer switches. Next year PP will order a spare pump for Farwell, which can also be used for Parker since the pumps are the same. After that, there will be a backup/spare for all pumps. Skate 3 contacted PP with a request to connect to sewer in April. They will put in a grease interceptor outside and then tie into the sewer line in April. Two more restaurants are going in to the plaza at 440 Middlesex Road. The sewer lines will need to be redone in spring. DW questioned the status of a one-year-old generator that had a coolant leak. The repair work was not covered under warranty.

Item 7.) Correspondence

None

Item 8.) Complaints

None

Item 9.) DW: Motion to go into Executive Session Pursuant to G.L. c. 30A, §21(a)(3) to Discuss the Pending Litigation of Vesper-Country Club v. Stonehedge Farm Condominium Trust... and Town of Tyngsborough, Land Court 22 MISC 0000527 and pursuant to G.L. c .30A, s. 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, specifically the Public Records Law, G.L. c. 4, s. 7(26) (discuss privileged email from counsel regarding pending litigation). Will come out only to adjourn.

2nd: FP

Roll call: FP yes/ BM yes/ DW yes

Item 10.) Adjournment

FP: Motion to adjourn

2nd: DW

Motion passes: 3:0:0

Meeting adjourned at 7:20 p.m.