

SPECIAL MEETING AGENDA
Bath City Council
Wednesday, March 16, 2022, 6:00 PM
Council Chambers
Bath City Hall

Pledge of Allegiance and Roll Call

Presentation of CSO Master Plan

- I. Public Hearing – CSO Master Plan-Wright Pierce
- II. Resolution – Adopting State’s Climate Action Plan
- III. Order – Approving Memorandum of Understanding with RSU 1 Regarding Transfer of Former Morse High School and Regional Technical School Property
- IV. Reappointments to Bath Development Corporation
- V. Rabies Adhoc Committee Discussion

ADJOURN TO WORKSHOP

Combined Sewer Overflow Master Plan Update

Bath, Maine

March 16, 2022

Matthew Burns, PE
Kendra Fox, EI

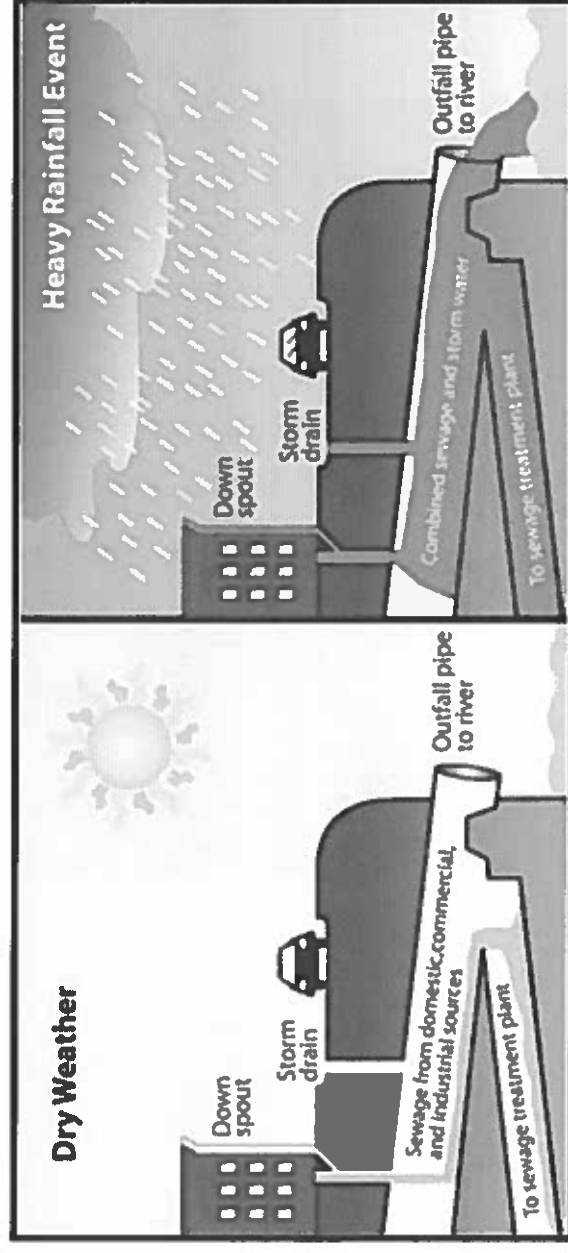


Presentation Overview

- What are Combined Sewer Overflows (CSO)?
- What are Sanitary Sewer Overflows (SSO)?
- History of CSOs in Bath
- Reason for CSO Master Plan
- CSO Master Plan Recommendations

What are CSOs

- Prior to Clean Water Act, sewer and storm water combined in pipes and discharged into water bodies
- After construction of WPCF, sewer and storm drain pipes began to be separated throughout the City
- During dry weather, all sewer flows to WPCF
- During wet weather, surface water and groundwater (I/I) enter sewer pipes, resulting in overflows into the storm drains and ultimately water bodies
- CSOs are permitted wet weather discharges



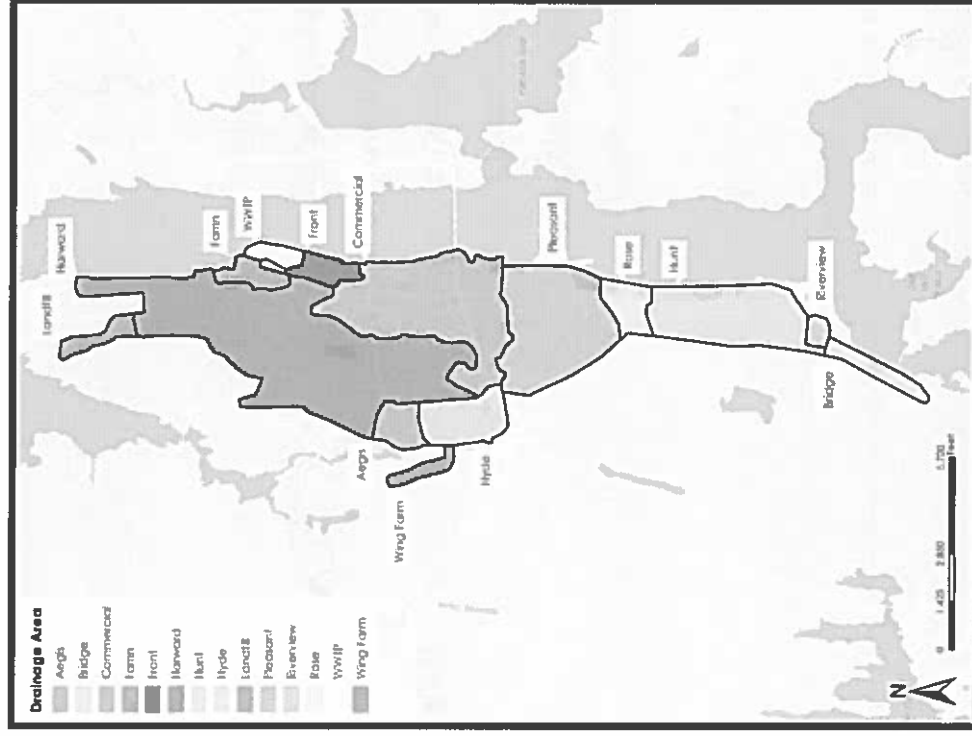
Reference: City of Marselles, <https://www.cityofmarselles.com/cso-notification-program/>

What are SSOs

- Flow in sewer pipes > capacity of sewer pipes
- Occurs during wet weather due to I/I
- Manholes surcharge and pressure of the wastewater lifts cover and overflows onto ground
- Non-permitted wet weather discharge not licensed by Maine DEP



Bath's Sewer System



History of CSOs in Bath

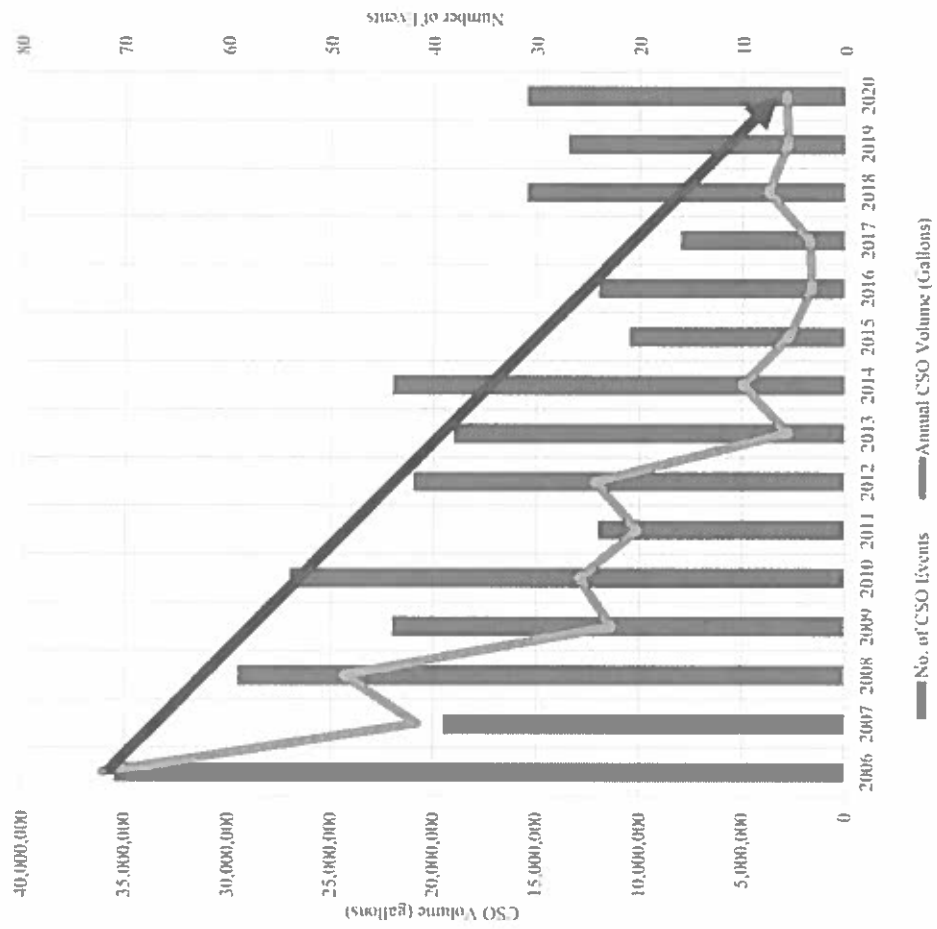
1971 – 7 CSO Locations

- Hunt Street Pump Station
- Rose Street Pump Station
- Pleasant Street Pump Station
- Commercial Street Pump Station
- Farrin Place Pump Station
- Hyde Park Pump Station
- Harward Street Pump Station

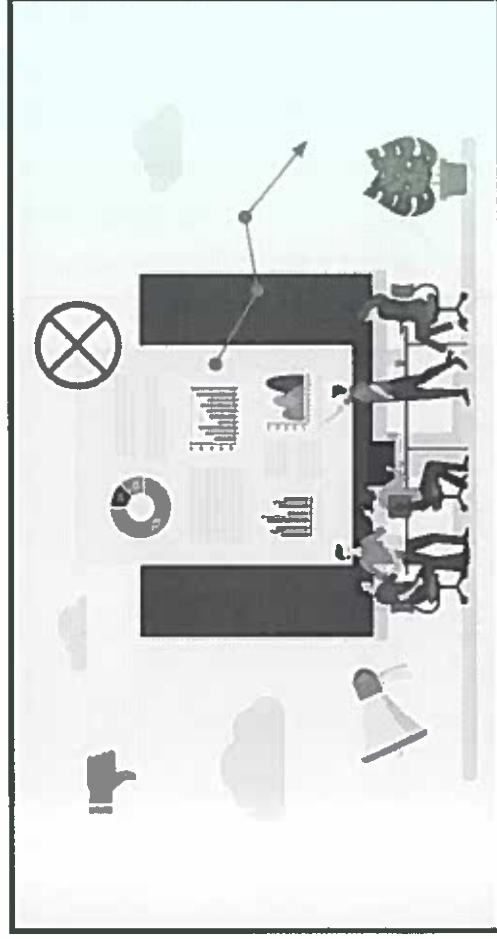
2022 – 4 CSO Locations

- ~~• Hunt Street Pump Station~~
- Rose Street Pump Station
- Pleasant Street Pump Station
- Commercial Street Pump Station
- ~~• Farrin Place Pump Station~~
- ~~• Hyde Park Pump Station~~
- Harward Street Pump Station

History of CSOs in Bath



Reason for CSO Master Plan



- Update required every 5 years by EPA and Maine DEP as part of City's wastewater discharge permit
- First CSO Master Plan approved in 2006
- Three plan updates since (2010, 2014, 2021)
- DEP required 90% draft of plan update by December 31, 2021 that includes:
 - Prioritization of CSO/SSO abatement
 - Recommended projects to be executed over next 5 years
 - Costs to complete recommended projects
 - 5-year implementation schedule

Drainage Areas

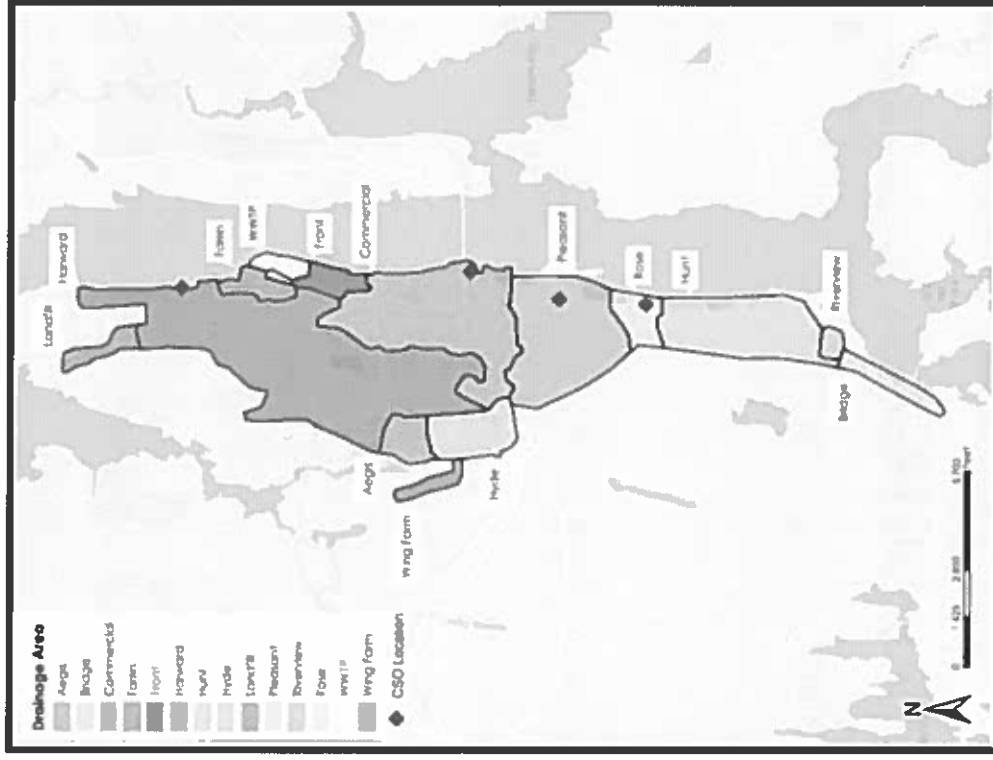


Harward Street Pump Station



Pleasant Street Pump Station

WRIGHT-PIERCE
Engineering a Better Environment

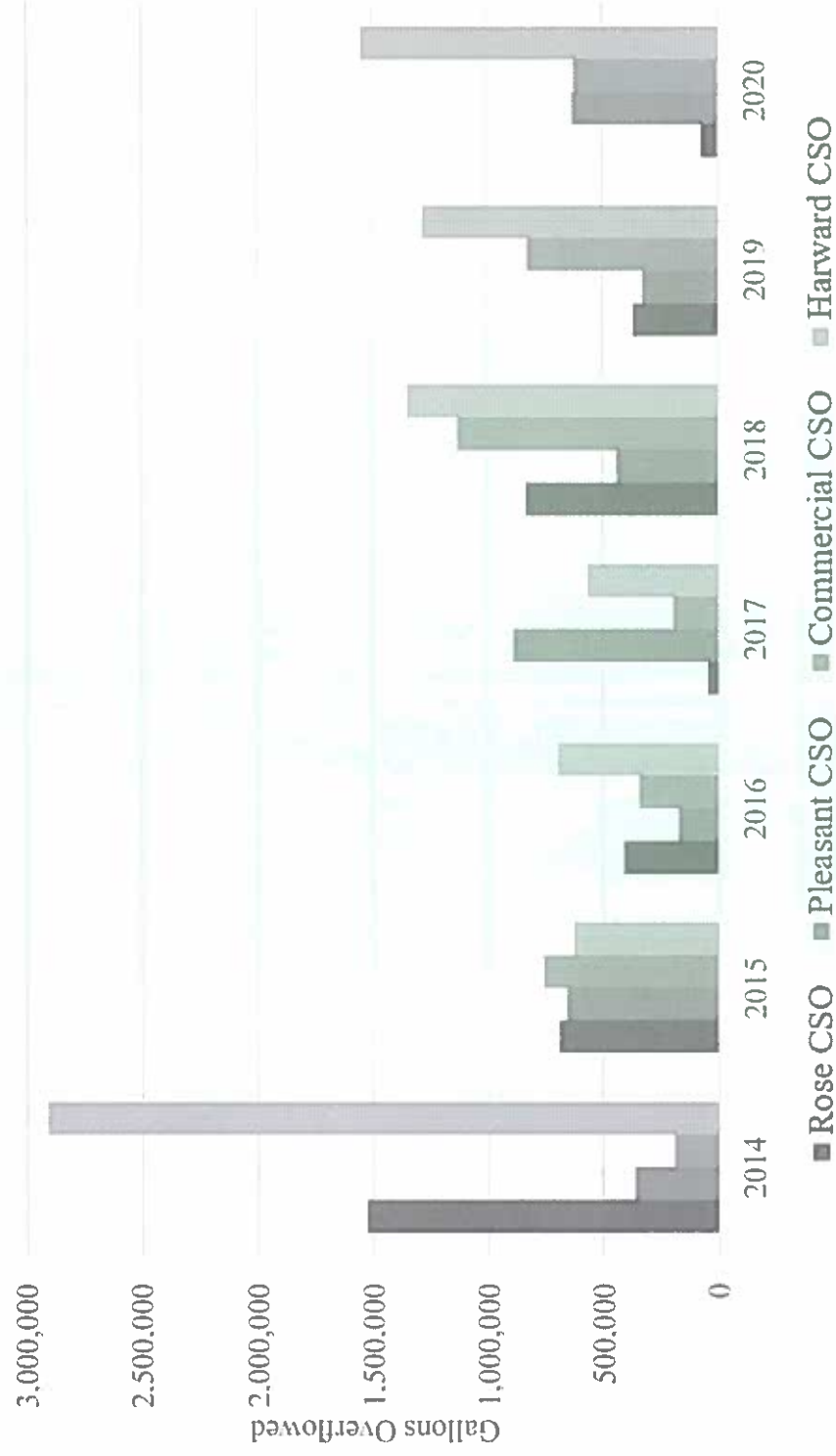


Commercial Street Pump Station



Rose Street Pump Station

CSO Volume by Location 2014-2020



#

I/I Sources in the Collection System

Drainage Areas with CSO/SSOs

- Harward
- Rose
- Commercial
- Pleasant
- Farrin

Drainage Areas with known/suspected I/I

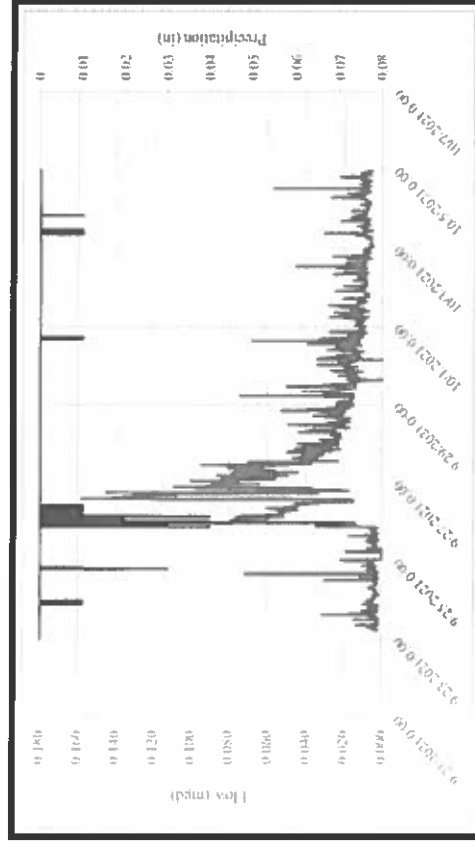
• Field Investigations

- Flow Metering
- Smoke Testing
- Dye Testing



Field Investigations

How to Find Inflow and Infiltration Sources



Flow Metering

- Inflow = short return to baseline flow
- Infiltration = long return to baseline flow



Smoke Testing

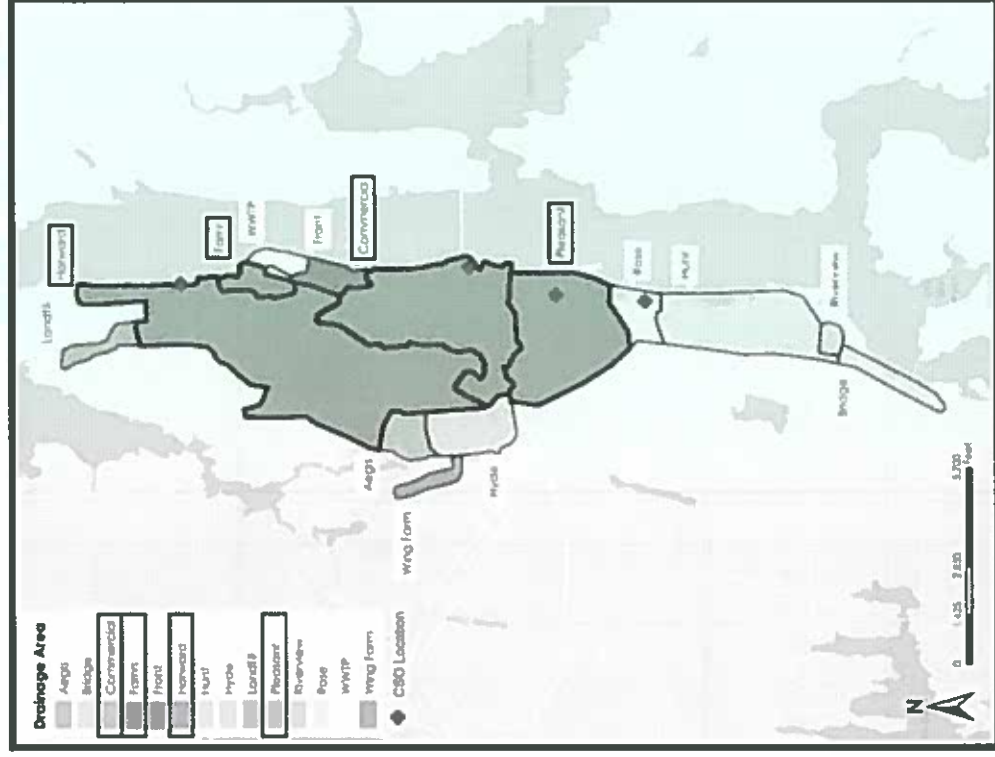
- Catch Basins
- Cracked Sewer Pipes



Dye Testing

- Catch Basins
- Homes

Drainage Areas



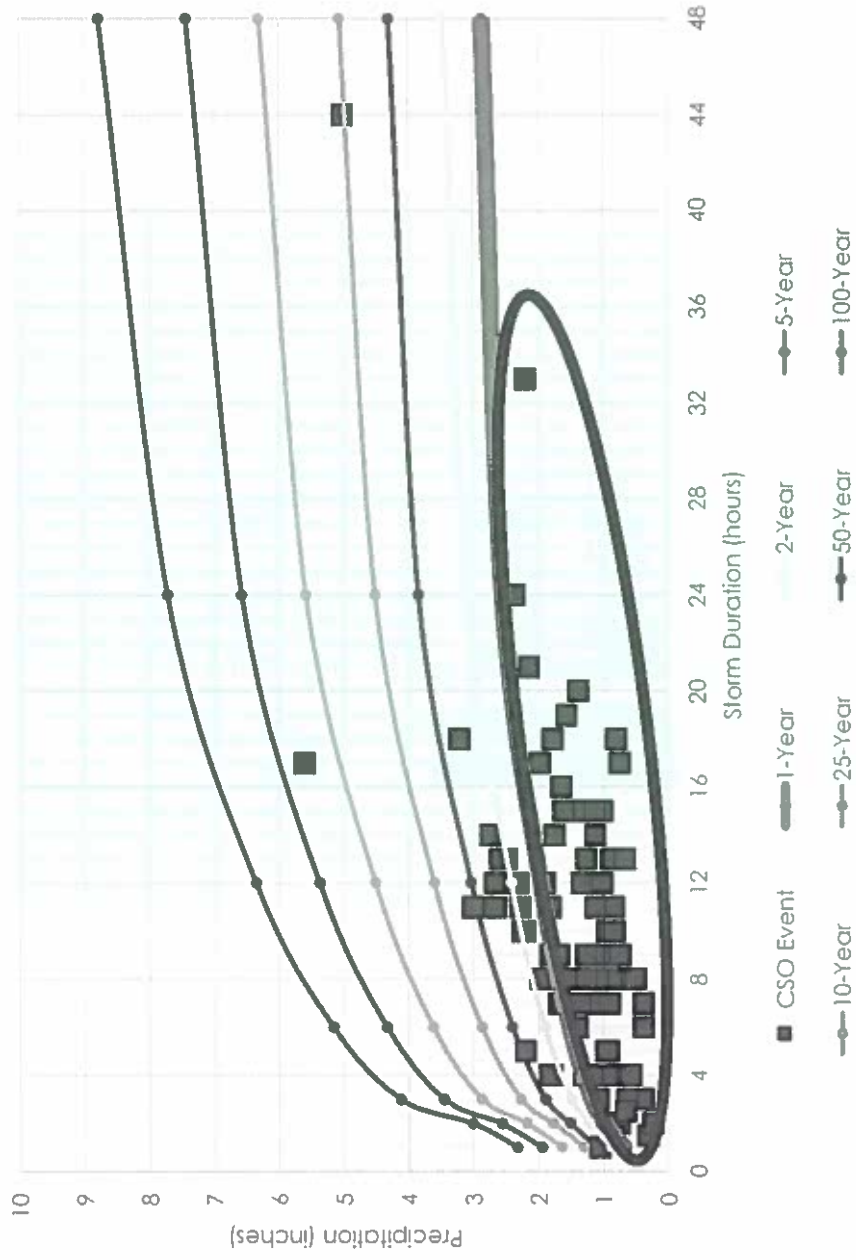
• 4 out of 14 drainage areas with I/I issues

- Harward
- Farrin
- Commercial
- Pleasant

CSO Abatement Alternatives

- **Inflow/Infiltration Removal**
- **Collection System, Pumping, and/or Treatment System Capacity Increase**
- **Reroute Pump Station Force Main**
- **In-Line Storage**
- **Off-Line Storage**

Design Storm



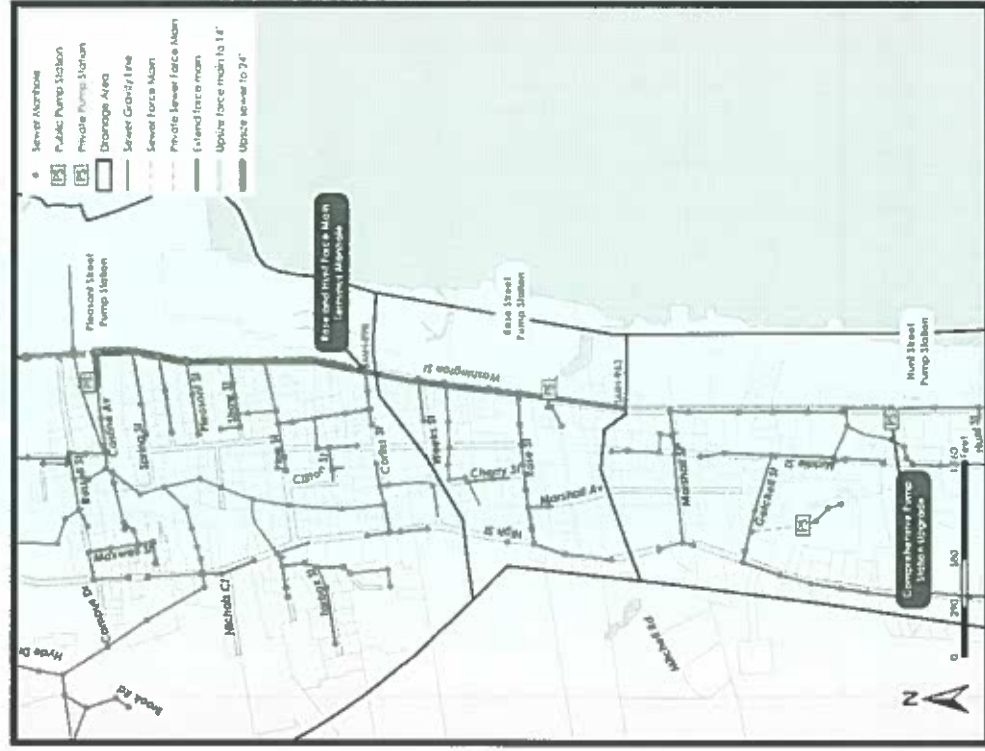
CSO/SSO Recommended Abatement Alternatives

Abatement Alternative	Harward	Rose	Commercial	Pleasant
Inflow/Infiltration Removal	⊗		⊗	⊗
Collection, Pumping, and Treatment System Capacity Increase	⊗	⊗		
Reroute Pump Station Force Mains Around Surcharged Interceptors		⊗		
In-Line Storage				
Off-Line Storage				

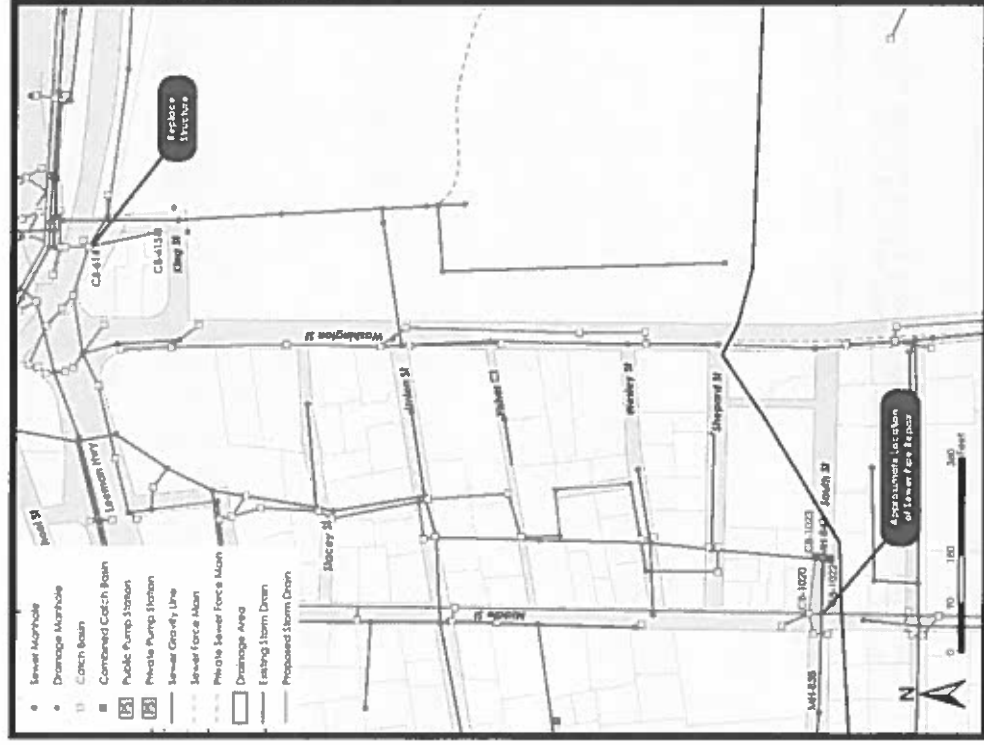
Harward Drainage Area Project Recommendations



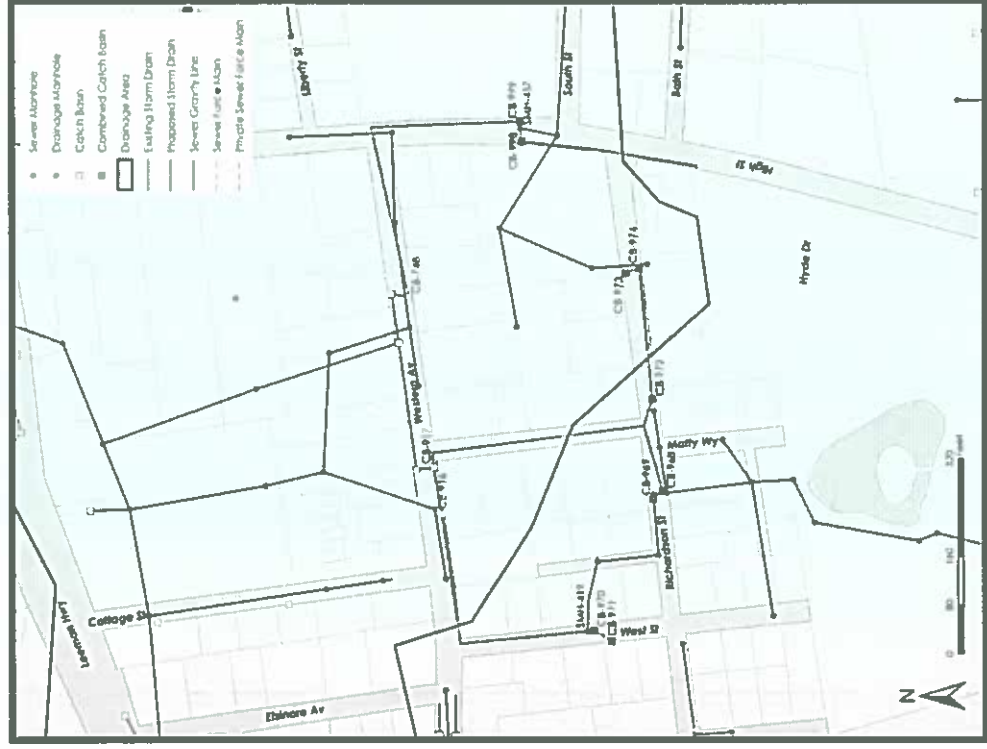
Rose Drainage Area Project Recommendations



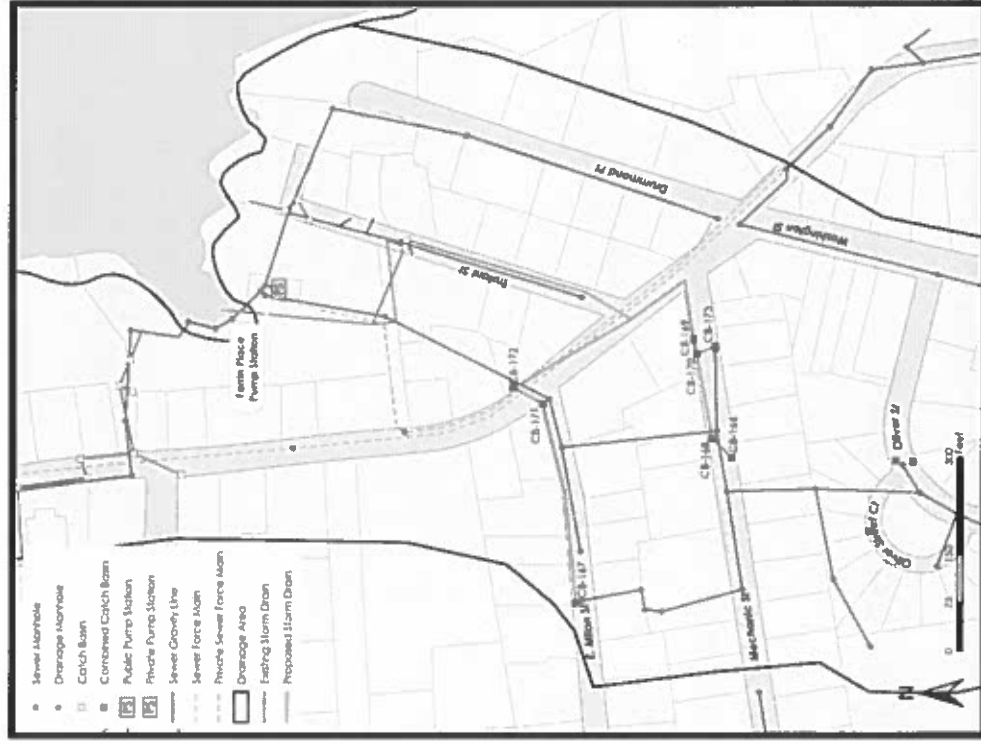
Commercial Drainage Area Project Recommendations



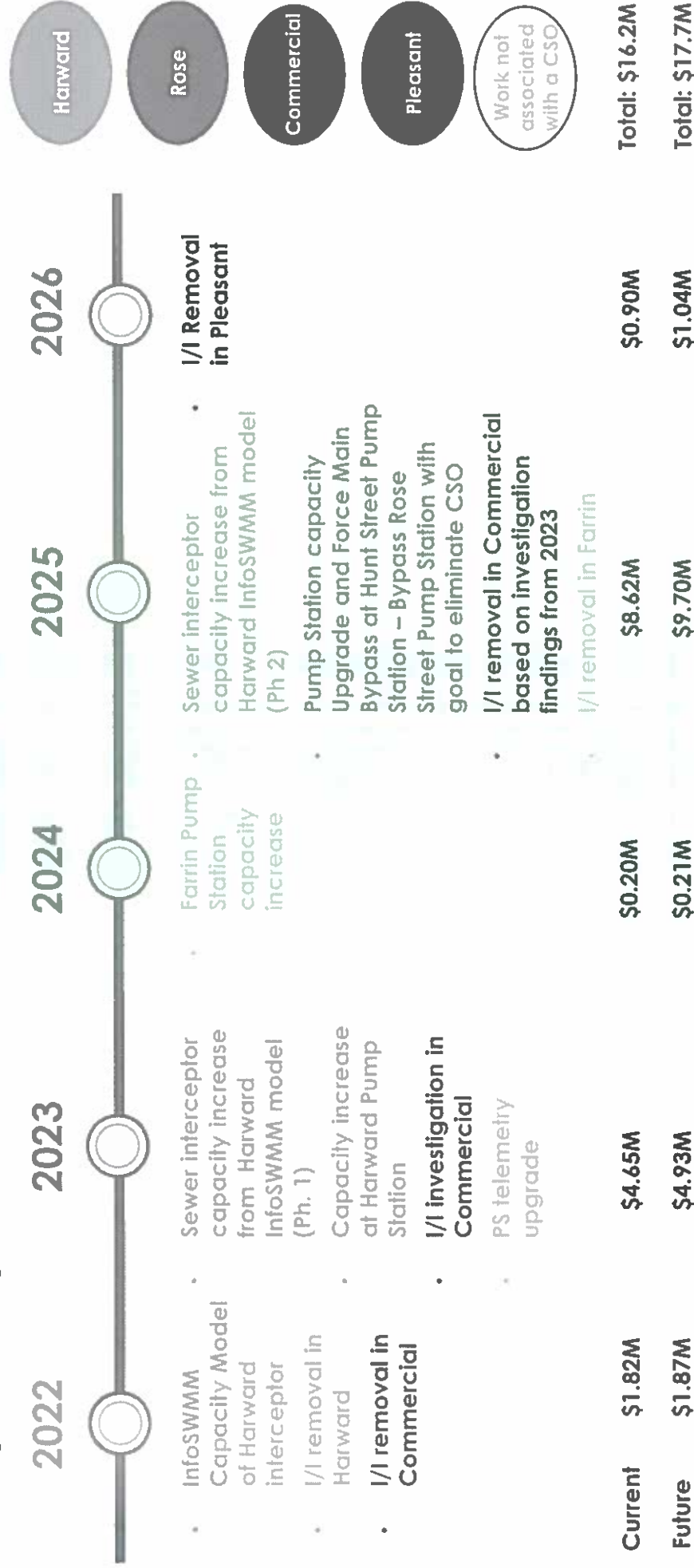
Pleasant Drainage Area Project Recommendations



Farrin Drainage Area Project Recommendations



5-year Implementation Schedule



Additional Wastewater Needs

- CSO Master Plan Projects: \$16.2M
- Collection System Projects: ??
- WPCF Upgrades: ??

Collection System Projects (CSO MP Unrelated)

- **Commercial Street Pump Station Upgrade**
- **Landfill Pump Station Modifications**
- **Emergency Generators at Applicable Pump Stations**
- **Force Main Relining/Replacement**
- **Climate Adaptation Plan Projects**
- **Force Main Cleaning Assembly at Applicable Pump Stations**
- **Replace Services in Harward and Commercial Drainage Areas**
- **Other select projects**

Total Preliminary Estimated Cost: \$9M

WPCF Costs (CSO MP Unrelated)

- Headworks Equipment
- Primary Clarifier Mechanisms
- Aeration Tank Blowers
- Secondary Clarifier Mechanisms
- Chemical Mixers
- Sludge Diffusers
- Sludge Holding Tank Blowers
- Sludge Pumps and Grinders
- Odor Control System
- Plant Water System

Total Preliminary Estimated Cost: \$14M

Additional Wastewater Needs

- CSO Master Plan Projects: \$16.2M
- Collection System Projects: \$9M
- WPCF Upgrades: \$14M
- **Total: \$39.2M**

Funding Options

DEP Clean Water State Revolving Fund

- Low-interest loans, principal forgiveness
- Previous funds: \$2M loan; \$1M principal forgiveness
- Higher funding amounts in upcoming years
- Currently applying for CWSRF Funding

USDA Rural Development

- Grant/Loan combination
- Previous funds: \$6.5M loan; \$2.3M grant

Federal Emergency Management Agency (FEMA)

- BRIC Design and Construction Grants Available (25% City match)
- City applied for \$730K in grants in December 2021

Maine Community Development Block Grant (CDBG)

- Up to \$1M grant with 25% City match
- Requires income survey, environmental review report, preliminary engineering report

Tax Increment Financing (TIF)

- City considering using TIFs to fund upcoming projects

Contact Information



MATTHEW BURNS

matthew.burns@wright-pierce.com
207.798.3718



KENDRA FOX

kendra.fox@wright-pierce.com
207.523.1409

THANK YOU

Notice is hereby given that the City of Bath will hold a public hearing at its City Council Meeting on

**Wednesday, March 16, 2022
at City Hall
located at 55 Front Street, Bath, ME 04530 at 6:00 p.m.**

The City of Bath will hold a public hearing on the
"Combined Sewer Overflow Master Plan Update for the City of Bath "

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time. A copy of the proposed application is available at the City Clerk's Office and can also be obtained by calling the City Clerk at 207-443-8332 during normal business hours and requesting that a copy be mailed to you.

Please see the City of Bath website at cityofbath.com in advance of the meeting to find out if there will be a remote participation option.

Public comments will be taken at the meeting and written comments should be submitted to dwheeler@cityofbath.com.

City of Bath

55 Front Street
Bath, Maine 04530

Dept: 207/443-8363
Fax: 207/443-8389



Planning & Development

MEMORANDUM

TO: Aaron Park, Chair, and City of Bath City Council members

FROM: Ben Averill, Director of Planning and Development

DATE: March 10, 2022

RE: Resolution to join the Community Resilience Partnership

Background

The Community Resilience Partnership is an initiative through the Governor's Office of Policy Innovation and Future (GOPIF) to help communities around the state advance the goals included in Maine Won't Wait, the State of Maine's climate action plan. In order to join the partnership a community must adopt a resolution committing to the Partnership, complete a self-evaluation regarding the community's resiliency, and identify possible action items from a list of community actions based on the action steps in the State's climate action plan. Once a community is part of the Partnership it is eligible for low or no match grants from GOPIF.

The Climate Action Commission and City Staff have been working to ensure that the City can enter into the Community Resilience Partnership if the Council so chooses. The Climate Action Commission completed a self-evaluation of the resiliency of the community. A community workshop was held on March 10th to help identify possible action items for the City to engage in. The priorities identified in the community workshop included:

1. Installing electric vehicle chargers in public parking areas,
2. Adopt the energy efficiency stretch building codes,
3. Conduct a community vulnerability assessment that identifies climate risks and vulnerable populations and includes a review of existing plans and policies. Adopt a climate resilience plan that describes high priority strategies for reducing risk and vulnerabilities,
4. Require consideration of sea level rise projections and impacts in planning and permitting coastal development,
5. Create a climate change education, outreach, and engagement program, focusing on mitigation and adaptation for residents and businesses,
6. Initiate a community bulk purchasing program with a vendor, or vendors, to provide low cost equipment such as heat pumps and solar for interested residents and businesses

If the Council chooses to enter the Community Resilience Partnership with the State it will allow the City to be eligible for grants from GOPIF. The City will be required to re-certify with the State every two years to ensure that action items are being completed and goals are being met.

Eligibility in the Partnership will allow the City to have the ability to apply for grant funding in the future.

Council Action

If the Council determines that the resolution to join the Community Resilience Partnership has merit the Council can vote to approve the resolution. If the Council determines that the request lacks merit, then action on the resolution will cease.

RESOLUTION- JOINING THE COMMUNITY RESILIENCE PARTNERSHIP

WHEREAS, the City Council of the City of Bath adopted the 2019 Climate Action plan on November 6, 2019; and

WHEREAS, the City of Bath has pledged to take a leadership role to minimize the City's energy use and emissions and maximize efficiency, resiliency, and sustainability; and

WHEREAS, the City of Bath has completed the Community Resilience Partnership's Community Resilience Self- Assessment and List of Community Actions; and

WHEREAS, the City of Bath held a community workshop on March 10, 2022, which prioritized the following action areas:

1. Install electric vehicle chargers in public parking areas,
2. Adopt the energy efficiency stretch building codes,
3. Conduct a community vulnerability assessment that identifies climate risks and vulnerable populations and includes a review of existing plans and policies. Adopt a climate resilience plan that describes high priority strategies for reducing risk and vulnerabilities,
4. Require consideration of sea level rise projections and impacts in planning and permitting coastal development,
5. Create a climate change education, outreach, and engagement program, focusing on mitigation and adaptation for residents and businesses,
6. Initiate a community bulk purchasing program with a vendor, or vendors, to provide low-cost equipment such as heat pumps and solar for interested residents and businesses; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bath, that the City of Bath commits to participating in the Community Resilience Partnership, which supports community leadership in reducing greenhouse gas emissions and increasing resiliency to extreme weather and climate change impacts;

BE IT FUTHER RESOLVED, that the City of Bath designates the Director of Planning and Development and the Director of Sustainability and Environment to coordinate planning, implementation, and monitoring of energy and resilience projects and to be the primary points of contact to the Community Resilience Partnership.



OFFICE of the CITY MANAGER

Marc Meyers
City Manager
mmeyers@cityofbath.com

Memorandum

To: Chair Park, Vice Chair DeChant and Members of the City Council
CC: Juli Millett, Assistant City Manager/Finance Director
Date: March 11, 2022
From: Marc Meyers, City Manager
RE: Transfer of former Morse High School

The City Council will be considering a Memorandum of Understanding with RSU 1 regarding the transfer of former Morse High School and Bath Regional Career and Technical Center, located at 826 High Street, from the RSU to the City.

As the City prepared to take over the former Morse and Bath Tech, two issues were identified: 1) the property was never formally transferred from the City to the RSU when the RSU was formed; and 2) the RSU still had existing debt on the property and state statute requires the municipality to take responsibility for the debt.

The City Council took the first step to address this situation at its January 19 meeting by formally authorizing the transfer of the property to the RSU.

To resolve the second issue, the City's Manager's Office has worked with the Superintendent of Schools for RSU 1 to draft this MOU to acknowledge the outstanding debt service and how that debt service will be resolved if the property is sold by the City. Upon sale of any portion of the property, the City will pay RSU 1 up to a maximum amount of \$370,359, depending on the date of the sale. This payment represents the outstanding debt allocated to the towns of Arrowsic, Phippsburg and Woolwich, and not already intended to be paid by the City of Bath.

Transfer of the property from the City to the Bath Development Corporation is excluded from this agreement. The City plans to transfer the property to BDC for the redevelopment process and environmental assessment.

The City plans to redevelop the property for multiple uses, including mixed use development and replacement of its aging fire station.

The City Council will be considering authorizing the City Manager to sign the Memorandum of Understanding with RSU 1 regarding the transfer of former Morse High School. If supported by City Council, the agreement will also have to be authorized by the Board of Directors of RSU 1 at a future meeting in advance of transfer of the property.

ORDER

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CITY COUNCIL, AS MUNICIPAL OFFICERS OF THE CITY, AUTHORIZE THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH REGIONAL SCHOOL UNIT NO. 1: LOWER KENNEBEC REGION SCHOOL UNIT REGARDING THE TRANSFER OF THE FORMER MORSE HIGH SCHOOL AND REGIONAL TECHNICAL SCHOOL PROPERTY, LOCATED AT 826 HIGH STREET, FROM RSU 1 TO THE CITY IN SUBSTANTIALLY THE FORM AS PRESENTED HERETO.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the “MOU”) is an agreement between Regional School Unit No. 1: Lower Kennebec Region School Unit (“RSU 1”) and the City of Bath, Maine (the “City”) dated as of the date set forth below.

WHEREAS, RSU 1 is organized pursuant to P & SL 2007 chapter 25 and currently comprises the City and the Towns of Arrowsic, Phippsburg, and Woolwich; and

WHEREAS, RSU 1 has moved its high school from the former Morse High School and Regional Technical School property located at 826 High Street in the City (“Former Morse”) to a new location at 826 Shipbuilder Drive; and

WHEREAS, the City and RSU 1 value their cooperative relationship to work toward their common goals and intend to continue such cooperation; and

WHEREAS, the parties agree that RSU 1 will transfer ownership and control of Former Morse to the City; and

WHEREAS, The City will inform the RSU of any pending sales of Former Morse; and

WHEREAS, voters of the communities of RSU 1 (the City of Bath and the Towns of Arrowsic, Phippsburg and Woolwich) approved a bond on November 5, 2013, to make capital improvements to facilities, including Former Morse; and

WHEREAS, RSU 1 has an outstanding principal indebtedness for improvements to Former Morse of \$870,000 as of the date of this MOU; and

WHEREAS, the parties intend for this MOU to clarify each party’s respective responsibilities with respect to RSU 1’s outstanding indebtedness on improvements to Former Morse and the fulfillment of the requirements identified in Title 20-A M.R.S. Section 4103, that upon transfer of a school building, the “receiving town or towns, if they accept the transfer, shall be liable for any outstanding indebtedness”; and

NOW THEREFORE, the City and RSU 1 agree as follows.

1. As of the date hereof, RSU 1 will transfer ownership and responsibility of Former Morse to the City by executing the deed attached hereto as Exhibit A and RSU 1 will cause such executed deed to be recorded in the Sagadahoc County Registry of Deeds.
2. Upon sale(s) of any portion of the Former Morse real property to a third party and solely to the extent of any net sale proceeds from the sale(s), the City will pay RSU 1 up to a maximum amount of \$370,359, as shown in Table 1 below depending upon the date of such sale. The total payment required represents that portion of the total Former Morse outstanding principal debt which is allocable to the Towns of Arrowsic, Phippsburg and Woolwich.¹ Transfer of any portion of Former Morse to the Bath Development

¹ At the time of this MOU, the current remaining outstanding principal balance on the Former Morse bond is \$870,000. Based upon the FY 2021-2022 cost sharing formula, Bath’s share of this principal indebtedness is 57.43 % or

Corporation, which is expected to occur as Former Morse is prepared for sale to a third party, shall not be considered a sale from the City to a third party for purposes of this MOU. A transfer from Bath Development Corporation to a third party shall be considered a sale to a third party for purposes of this MOU. To the extent of multiple sales of portions of Former Morse over multiple years, prior payments made pursuant to this MOU shall be credited against the payment due upon any subsequent sales.

Table 1.

Date of Sale of Former Morse to Third Party	Total Outstanding Debt on Morse School	Maximum City Payment Required Pursuant to this MOU Section 2 (subject to extent of net sale proceeds available)
Date of MOU – July 31, 2022	\$870,000	\$370,359.00
August 1, 2022 – July 31, 2023	\$725,000	\$308,632.50
August 1, 2023 – July 31, 2024	\$580,000	\$246,906.00
August 1, 2024 – July 31, 2025	\$435,000	\$185,179.50
August 1, 2025 – July 31, 2026	\$290,000	\$123,453.00
August 1, 2026 – July 31, 2027	\$145,000	\$61,726.50
August 1, 2027 and later	\$0	\$0

3. RSU 1 will place any amounts received under this MOU in a special fund. RSU 1 will apply this fund as credits to reduce its assessments for school taxes payable by Arrowsic, Phippsburg, and Woolwich in proportion to each town's percentage allocation of the three towns' aggregate percentage allocation of FY 2021-2022 costs as described in footnote 1.
4. Except for performing the obligations described in this MOU, the parties release each other from all claims arising out of or in connection with the outstanding indebtedness on Former Morse and the City's sale of any portion of Former Morse.

Dated: _____, 2022

CITY OF BATH

RSU 1

By: _____

By: _____

\$499,671. The share of the other three towns is 42.57% (\$370,359) allocated as follows: Arrowsic, 2.76%, or \$24,012; Phippsburg, 16.15%, or \$140,505; and Woolwich 23.66%, or \$205,842. Payments identified in Table 1 are calculated based on the percentages herein referenced.

EXHIBIT A: Deed from RSU 1 to City for Former Morse

Darci Wheeler

From: no-reply@services.evo.cloud
Sent: Wednesday, March 2, 2022 11:09 AM
To: Darci Wheeler
Subject: Appointment Application - New Form Submission for Bath, Maine

A new submission has been received for Appointment Application at 03/02/2022 11:08 AM

First Name::	Jamie
Last Name::	Pacheco
Address::	245 Ridge Road
Phone::	207-242-2762
Your Council Ward Number::	7
Email Address::	jamison.pacheco@gmail.com
Preferred Method of Contact::	Email
I wish to be considered for::	Reappointment
Name of Board/ Commission/ Committee::	Bath Development Corp.
Committee Experience:	
Date(s) you attended this Board/Commission/Committee's meetings::	Current member
Members of the Board/ Commission/ Committee with whom you spoke and when::	N/A, current member
How did these experiences affect your interest in the Board/ Commission/ Committee?:	N/A
Have you every served on a City Board/ Commission/ Committee?:	Yes
If yes please list the Board/ Commission/ Committee and years of service:	Bath Development Corp (~1), Agricultural Sub Committee (~1)
Please outline past and present expertise skills employment that you think may be relevant::	N/A (existing member)
Resume (Optional):	No File Uploaded
Why do you want to be a member of this Board/ Commission/ Committee or list your accomplishments during your last term or terms?:	Support small businesses, support best use when re-allocating City property.
How many months are you away from Bath in a 12 month period?:	0
Date:	3/2/22
Signature:	Jamison Pacheco

Darci Wheeler

From: no-reply@services.evo.cloud
Sent: Wednesday, March 2, 2022 11:26 AM
To: Darci Wheeler
Subject: Appointment Application - New Form Submission for Bath, Maine

A new submission has been received for Appointment Application at 03/02/2022 11:25 AM

First Name::	William
Last Name::	Braman
Address::	23 York Street,
Phone::	4132214162
Your Council Ward Number::	6
Email Address::	wrb Braman@gmail.com
Preferred Method of Contact::	Email
I wish to be considered for::	Reappointment
Name of Board/ Commission/ Committee::	Bath Development Corporation
Committee Experience:	
Date(s) you attended this Board/Commission/Committee's meetings::	9/16/2021, 10/21/2021, 11/18/2021, 2/17/2022
Members of the Board/ Commission/ Committee with whom you spoke and when::	All
How did these experiences affect your interest in the Board/ Commission/ Committee?:	favorably
Have you every served on a City Board/ Commission/ Committee?:	Yes
If yes please list the Board/ Commission/ Committee and years of service:	Bath Development Corp
Please outline past and present expertise skills employment that you think may be relevant::	on file
Resume (Optional):	No File Uploaded
Why do you want to be a member of this Board/ Commission/ Committee or list your accomplishments during your last term or terms?:	Continue the work begun in 2021
How many months are you away from Bath in a 12 month period?:	I am here year round.
Date:	3/2/2022
Signature:	William Braman

