



Bank Building, 20 Centre Street, Middleborough, Massachusetts 02346

## MEETING MINUTES

Date: Tuesday, September 14, 2021

Location: Middleboro Town Hall Selectmen's Room

Meeting called to order at 7:03 PM

Wardens Present: Tom Barron, David Cavanaugh, Bill Orphanos, Emily Ryan, Ron Burgess

Absent: Carol "Krill" Carson, Brad Day

Observers Present:

Visitors: Bill Napolitano (SRPEDD), Helen Zincavage (SRPEDD), Emily Vogler (SRPEDD).

**Unanticipated:** Three wardens (Ron, Tom, Brad) term ends September 30<sup>th</sup> and all observers term ends September 30<sup>th</sup>. Decided this will be added to the agenda for the October meeting.

### **New Business:**

We began this meeting with introductions from our visitors, Bill Napolitano (SRPEDD), Helen Zincavage (SRPEDD), and Emily Vogler (SRPEDD). They joined the Herring Commission meeting to meet and further develop our relationship since their work with the Upper Nemasket Plan is connected and supporting the Herring Commission work. Since we had guests present to discuss item two on the agenda, we started with that agenda item and decided to circle back to the accepting of the minutes afterwards.

2. Emily began with a basic update for the Upper Nemasket Plan. Nil with Fuss and O'Neil has been modeling existing conditions based on the last public meeting they held. (A few HC members were present at this meeting) Fuss and O'Neil are currently looking for a target water level coming out of the pond and can move downstream. Once more information is gathered and models are created, the information will be brought to the public for feedback, aiming for beginning to mid- November.

Bill added that their focus is on the flow, flood, and fishes in the river. However, when considering pond levels, the gradient is also important to consider. What is the normal profile for the pond and river? And what needs to be done to improve the river? The sediment issue at the beginning of the river needs to be addressed.

MBTA and Mass DOT have been contacted about issues at the bridges near Rt 495 and the MBTA Lot. The issues include the riprap that ends up in the river and the water moving the silt and sediment.

With repurposed funds, Outback Engineering has gone out to look at these issues and put together a study and analysis of the issue. These studies and analysis have been turned over to the state. The plans for the sediment trap put together by the Herring Commission can be combined with the ongoing Upper Nemasket Plan to work together.

The work the Herring Commission did to get the Ecoharvester work done has shown authorities it can be done and now we need to keep moving forward.

Ron added that some issues are contributed to the water levels at the pond being controlled by the state since it is a source of drinking water.

Helen contributed that Nil's initial analysis began with the dam at state levels and took into consideration natural rainfall amounts. With this analysis a wider dam was considered for future models.

Tom commented that the biggest issues are the water levels being dictated by New Bedford and Taunton and the dam of sand that built up over 120 years at the first bend after the actual dam.

Ron added that the road where the dam is located is actually acting as a dyke. The sand was added back during the Korean War but has slowly eroded. Perhaps clay should be used instead of sand or dirt.

Further discussion about the current river gradient and what could be done to improve river flow. Along with current and past studies that were conducted including water usage of the pond and water levels. Sediment removal and trap plans were discussed as well as maintenance plans that need to be put into place to maintain once the projects have been completed.

1. Motion by Dave to accept the minutes of the August 3rd meeting

Second: Ron. Unanimous.

3. Ron – while answering questions for Sally ended up writing up briefing and noticed it is missing a conclusion for what we did with the Ecoharvester. We brought the ecoharvester in for the fish passage, not to maintain the river permanently. Someone needs to take ownership of the weed removal maintenance plan. This plan should be based on success of the ecoharvester work and this success cannot be determined right away it will be more than a year to determine if it was successful. In order to request a certificate of compliance an extension of the permit should be requested from both towns.

Bill agreed the commission should continue with permit to determine success and look for improvement.

Dave also agreed the commission needs to wait a couple years before writing the conclusion. And also suggested perhaps we could extend the permit to different portions of the river than what was originally approved by the Conservation Commission rather than going through the entire permitting process again.

Ron made a motion to extend the permits for an additional three years.

Second: Tom. Unanimous.

## **Old Business**

1. a. Tom gave updates about the river conditions indicating that with the heavy rains herring have been seen migrating up until the last storm. And now that there is an even flow the herring can go out anytime.
  - b. Dave agreed he hasn't seen herring recently. And added no river work can be done until the river levels go down. However, the same work that has been discussed at previous meetings still needs to be done.
2. No major updates, Dave commented in reference to the line-item expenditure, that there is still some money in various accounts.

## **Communications and Bills**

Ron had C&D Invoice to be paid and made motion to pay \$5,000 out of the portion received from New Bedford in the Middleboro account, and \$2,500 out of the Lakeville account.  
Second: Tom. Unanimous.

Dave brought up the email we received about the Fair in Taunton held on 9/12/21 that was sent by observer Alin. No one from Commission was able to attend the event on behalf of the Commission.

Ron left meeting at 8:30pm

Dave spoke about the open space planning meeting to be held on 9/22/21 at 6pm, he had sent an email to the Commission.

Tom mentioned that Mike Arruda from the Water Dept. explained out process about the Ecoharvester project at a meeting regarding a weed issue at Lake Sabbatia.

Tom – paid electric bill

Motion by Dave to adjourn. Second: Tom: Unanimous. Meeting adjourned at 8:35 PM

