



Town of Provincetown

Meeting of the

WATER & SEWER BOARD

Thursday, January 29, 2015

**Veterans Memorial Community Center, Multi-purpose Room
2 Mayflower Street, Provincetown, MA**

Board Members Present: Jonathan Sinaiko (chair), Sacha Richter, Kathleen Meads, Kevin Kuechler, and Bill Worthington

Board Members Absent: Moe Van Dereck, Mark Collins and Shannon Corea.

Other attendees: DPW Staff Rich Waldo, Sherry Prada, Cody Salisbury and Anna Michaud

Members of the Public: Bob O'Malley

Recorder: Susan Leonard

Call to Order: Mr. Sinaiko, acting as chair, called the meeting to order at 3:10 p.m.

Agenda Item 1 – Application for Water Service – 346 Rte. 6, North Truro [Full Board]

Discussion:

Mr. Salisbury: This is the Seamen's Bank property on Rte.6 where Roderick's Bookkeeping currently is. They have a compliant water service now. They are requesting a larger service than is currently there. Ideally, we can use what is there which is in a meter pit. They are requesting a fire service to come off of the bank's existing 6" fire service main. This is in lieu of tapping the main under Rte.6. I would like to see a dedicated line because it is two separate parcels and could be problematic if the parcel changes hands.

Ms. Meads: Is the water main you want to tie it into the express main we installed on Rte.6? Would they have to rip up the pavement?

Mr. Salisbury: They would have to do directional drilling under the road. More than likely, depending on Mass DOT requirements they might have to put it in a casing.

Mr. Sinaiko: If it leaks it will damage the road.

Ms. Meads: Would this fire service main have a meter on it so we can monitor it for leaks?

Mr. Salisbury: We have never required it. It will be a 6" fire service that will be pressure tested on installation. Fire flow meters are very expensive. The only place it will be encased is under Rte.6

Mr. Sinaiko: It only flows when there's a fire, so there's no movement of the pipe unless there's a fire.

Mr. Salisbury: The main thing they are looking at here is to cut costs. We can work with them on that, but we want an easement on file in case of a problem.

Ms. Meads: Let's consider doing something provisional. If, at some time in the future, the bank sells the property could the service line be mandated to be installed as a separate service? Is that something you want to consider?

Mr. Salisbury: I think it would be better suited to requiring it in the beginning. It would cost several thousand dollars to directional drill under the road and encase the line.

Ms. Meads: Are these separate legal parcels?

Mr. Salisbury: They are. They are not combining the lots, to my knowledge.

Ms. Meads: My position would be, if you want to combine the lots then connect to the existing service. If you want to connect as separate parcels, then you have to connect to a separate service.

Mr. Worthington: The Truro Planning Board looked at this carefully and signed off on the site plan. The Planning Board doesn't get involved in the water main issue. As a member of this Board, I think it should be a separate service.

Mr. Kuechler: I do, as well. If it is a reasonable cost I think it should be a separate service to avoid legal problems in the future.

Motion: *To allow them to hook-up to the water service.*

Motion: Jonathan Sinaiko

Seconded: Kathleen Meads

Vote: 5 - 0 - 0

**Agenda Item 2 – Water & Sewer Commitments For Acct. # 0001227 (Missing Fall Bill 2014)
[Board as it Applies to Subject Matter]**

Discussion:

Ms. Michaud: This is an account that was listed as inactive, but in fact is active. Approval of this commitment will allow us to bill for it. It is for both water and sewer and is just a little over \$500.

Motion: *To approve the commitments for acct. #0001227 as recommended by staff.*

Motion: Jonathan Sinaiko

Seconded: Kathleen Meads

Vote: 5 - 0 - 0

Agenda Item 3 – Water Bill Abatement Requests [Full Board]

Discussion:

Ms. Michaud: There are two. The Village Café had an enormous leak in one month. They did not hear it; we advised them of it. It was repaired as soon as they found out about it. It is located in a separate laundry room, so it is very possible for them to not have heard this. Based on the 500% Rule, even though it is a large abatement, I am recommending \$4,978.50.

Ms. Meads: Where is the meter located?

Ms. Michaud: It is in the basement under the laundry room. There is a common room between the residences and the café. If you go down to the basement you can see the meter.

Ms. Meads: We keep telling people to check there meters and denying things. I want to be consistent. This was in a separate location.

Ms. Michaud: This is a business and we have abated in these situations before. I will go along with what the Board decides.

Ms. Michaud: I can add a letter urging them to check their meter on a weekly basis. We can tell them we will abate this just this once.

Motion: *Accept the abatement as recommended by staff.*

Motion: Jonathan Sinaiko

Seconded: Kevin Kuechler

Vote: 5 – 0 - 0

Ms. Michaud: The second abatement request is for 248 Bradford St. I would like to talk about this in terms of both water and sewer, just to move things along. There is a letter in your packets from the property owner asking for forbearance. They had a significant spike in usage. We tested the meter three times. It passed every time. We found no evidence of a leak. The owner insists nothing is out of the ordinary. It is rented out on a weekly basis. According to our rules, I cannot recommend an abatement for water. If you want to consider an abatement for sewer, it would be \$923.33.

Ms. Meads: I would like to know what the peak period history is.

Ms. Michaud: The peak period history for the past three years is: 2011 ~ 42,000 gallons; 2012 ~ 40,000 gallons and 2013 ~ 23,000 gallons. The period in question is 99,000 gallons.

Ms. Meads: Were these different tenants? The meter doesn't break and then fix itself. If it is broken it is broken.

Ms. Michaud: Since then it has been right on track. He spoke with the tenants and the caretaker. In a month we had 450,000 gallons go through the Village Café. A hose could be left running.

Mr. Sinaiko: Can we be lenient this one time and meet him halfway?

Mr. Kuechler: If we do that then we need to have a claw back. If it happens again we go back and take it back.

Ms. Meads: How about we go through an entire cycle and if there is normal usage then we abate back to typical usage as shown on the Fall reading.

Motion: *To abate back to typical usage of both water and sewer after a full cycle showing normal usage. This is a one-time courtesy.*

Motion: Kathie Meads

Seconded: Sacha Richter

Vote: 5 – 0 – 0

Agenda Item 4 – 2014 Management Report/Update – Water System

Discussion:

Mr. Salisbury: This is basically a similar report that you will hear at the February 9th Board of Selectmen meeting. I will present them with an update of 2014. We refer to the treatment facility at the Paul Daley Well Field as the South Hollow Corrosion Control Facility. That is how we name for DEP. At Knowles Crossing treatment is just for pH adjustment; it goes right to the distribution system. It has only trace levels of Manganese.

Mr. Worthington: So, it goes straight to the distribution mains. It does not go to the raw water mains.

Mr. Salisbury: We expected slightly more problems with Knowles Crossing. It ran flawlessly this summer. We technically lose some water daily through the back wash process of cleaning the filters. We are very comparable to last year's use.

We have to meet a 10% unaccounted for water mandate for our registration by 2017. We are not going to meet that performance guideline this year, It will closer to 16 -17% unaccounted water. We have to outline and file our plan to achieve the standard with DEP for our conditional registration. If we do not achieve this in five years we can adopt a functional equivalence plan. It makes us functionally equivalent to 10% if we adopt certain procedures, most of which we already do like leak detection. The biggest thing we don't do is quarterly or monthly billing. We do monthly readings.

I did a breakdown for an example. The difference in revenue is quite a lot. Incrementally, it adds up over the 3,200 accounts. It would be a \$200,000 increase in revenue on a quarterly reading. We may have to adjust the tier structure. Some accounts may not reach the use threshold for the next tier.

Mr. Kuechler: Restructuring the tiers sounds like a Pandora's box of unintended consequences.

Mr. Sinaiko: You could keep the first two tiers the same, but change the next two tiers for heavy users. At least you would be protecting the individual home-owner who is trying to conserve.

Mr. Salisbury: Truthfully, some of the large users are not as large as they used to be. They have reduced consumption over several years. It should be on the radar. If we need to have a rate adjustment then that would be the time to implement this, as well.

Ms. Meads: I think that if the case was presented to DEP that we are reading monthly... I think they won't be as interested in our billing revenue as they are in catching leaks. This is about unaccounted for water, after all. A semi-annual system works well for us. A quarterly system won't work for us – for not much gain.

Mr. Salisbury: On the financial page of the report I added the telecommunications facilities on Mt. Gilboa and Winslow. As of right now we have an agreement with Verizon at Mt. Gilboa, however the project is on hold because of Verizon not wanting to do it at this time. We are working with Verizon to occupy space at the Winslow location. Verizon pays the Water Department for this. According to the Town Accounting Office we have a surplus of \$1.35 million.

I would like to request another working session to nail down the changes to Rules & Regulations so we can have a public hearing and take them to the Board of Selectmen.

We purchased the .94 acre parcel around South Hollow for the Paul Daley Well Field zone protection. We have planned maintenance at Mt. Gilboa – replacing ladder cages, taking the standpipe off line to drain it and replace fittings on the feed line that are corroded and cleaning the interior of the tank at the same time.

In the distribution system staff did quite a lot of work this year paving West Vine St, replacing several gate valves on Tremont St and West Vine and replacing several services. We tied in Nickerson St to Tremont St that had been overlooked when work was done 1987. We are identifying areas that need upgrade and replacement in the next 5 – 15 years.

Ms. Meads: Is there a financial plan being worked up on prioritized projects? We don't want to give away the money for any other projects if we know what your priorities are.

Mr. Salisbury: We are targeting some projects that the department can do in-house; small lengths of pipe that staff can handle. It will save us some money. We are looking some of the smaller side streets in the pavement management plan.

Agenda Item 5 – Statements From The Board

There were no additional statements by the board.

Agenda Item 6 – Unanticipated business that shall legally come before the Board and that requires immediate action:

There was no unanticipated business raised.

Agenda Item 7 – Approval of Minutes [Full Board]

There were no minutes considered at the meeting.

Agenda Item 8 – Sewer Bill Abatement Requests [Provincetown Board]

The sewer flow abatements were considered previously in conjunction with the water abatement requests in Agenda Item 3.

Agenda Item 9 – Sewer Flow Revisions [Provincetown Board]

Map & Parcel	Address	Orig. Flow	Rev. Flow	Net Chg	Orig. Btmt	Rev. Btmt	Net Btmt
05-4-015	34 Commercial St	110	300	220	\$4,950.00	\$14,850.00	\$9,900.00
08-1-014	160 Bradford St Ext	300	660	300	\$14,850.00	\$29,700.00	\$14,850.00
12-3-078-2-00B	303 Brad St B	110	230	110	\$4,950.00	\$9,900.00	\$4,950.00
06-2-015-1-001	87 Comm St #1	230	110	-110	\$7,409.80	\$3,704.80	(\$3,704.80)
06-2-015-2-004	87 Comm St #4	230	110	-110	\$7,409.80	\$3,704.80	(\$3,704.80)
07-2-175	87 Bradford Street	3140	3840	700	\$140,797.80	\$172,297.80	\$31,500.00
11-3-011	307 Commercial St	238	1078	840	\$9,015.84	\$45,815.84	\$37,800.00
11-3-032	6 Gosnold Street	660	440	-220	\$22,238.80	\$14,819.20	(\$7,409.80)
12-1-148	344 Commercial St	175	339	164	\$7,139.20	\$9,413.59	\$2,274.39
12-1-150	348 Commercial St	164	0	-164	\$2,274.39	\$0.00	(\$2,274.39)
12-2-005-1-002	415-417 Comm St 2	110	220	110	\$4,950.00	\$9,900.00	\$4,950.00
12-2-005-2-004	415-417 Comm St 4	110	220	110	\$4,950.00	\$9,900.00	\$4,950.00

Discussion:

Ms. Prada: 67 Commercial St. They discontinued the use of two bedrooms per a board of Health decision on August 8, 2014; a total of 220 gallons is being returned.

67 Bradford St are Economic Development gallons that Morgan Clark found. For some reason it did not come before the Water & Sewer Board. They are increasing by 700 gallons.

307 Commercial St is a bit tricky. It is owned by the Chamber of Commerce, but is used for outdoor seating by the Post Office Café. The Chamber went before the Board of Selectmen for Economic Development gallons for 20 seats. Even though the Chamber has not been paying the betterment, the Post Office Café has been paying the sewer usage all along.

6 Gosnold St gave back 220 gallons. It is now a single family home.

344 - 346 Commercial St was purchased by one person. He joined the properties together as one parcel, consequently 346 Commercial St no longer exists. We moved the gallons assigned to 346 Commercial St to the 344 Commercial St account.

415- 417 Commercial St are condo units. We under-assessed them by one bedroom in Unit 1 and one bedroom in unit 4. We are increasing the property by two bedrooms.

303 Bradford St #B. It is a Growth Management permit that was granted in 2007 and never made it to us. It increased by one bedroom.

34 Commercial St is a clerical error. We are adding two bedrooms that were omitted from the original assessment.

160 Bradford St Extension was granted gallons from Growth Management. The property has now been built and we are now caught up with it by adding three bedrooms.

Motion: *To accept the flow revisions as recommended by staff.*

Motion: Jonathan Sinaiko

Seconded: Sacha Richter

Vote: 3 – 0 - 0

Agenda Item 10 – Discussion Of Sewer Capacity In Preparation For Joint Meeting With Provincetown Board Of Selectmen And Board Of Health, February 9, 2015 At 4:40 pm

Discussion:

Kathie Meads: Can we start this discussion today with why we will be at the meeting with the Selectmen. I heard it was about sewer gallons, growth management, etc.

Mr. Waldo: I will summarize for now. In the grand scheme the idea is to get on the same page. Typically, we don't have much communication between the boards. We want everyone to know where we are with sewer. What Sherri just presented to you is a clean slate. All the numbers are right, all the outstanding gallons are correct. We are moving into a monumental time of the sewer system.

The plant was built on a "no growth", checkerboard system paid by the users with a maximum 500,000 gallon daily flow. We have expanded the sewer system four different times. We have reached final capacity. It is time to decide what to do with the remaining capacity and go back to the original priorities: public health, failed systems and properties that could not accommodate a Title 5 system. Then it expanded to voluntary connections and Economic Development.

When we make our recommendations to the Board of Selectmen we want to suggest that we slow down the distribution of the remaining gallons because we want to monitor our system. We cannot serve the whole town. We anticipate a lot of people wanting to connect to the sewer. We want to prioritize the remaining gallons for public health emergencies, ACOs that currently exist, failed systems and sites that can't comply with Title 5. The next priority would be Economic Development. The other two priorities would be public housing and municipal buildings. What we won't recommend is any more voluntary connections to the sewer. This does not fall into the original intent of the sewer. We have considered the people who are already in the Growth Management pipeline and are paying a betterment for the sewer. We have vacant lots that are paying a betterment for the property to secure their place in the sewer system. The owners got approved for bedrooms on a vacant lot. They will be given the additional flow. There are others who are not paying a betterment. If they can't comply with a non-varianced Title 5 they will not be able to connect. In some cases they have a Title 5 plan in place, but wanted to connect to the sewer. How will we deal with unique situations? There are currently a lot of people who are on hold. We will not be able to serve them in the next five years.

This is why we want the Board of Health there as well. If it is a failed system we want them to be stringent. Just because there is an ACO does not mean the property cannot comply with a Title 5. It means that they prefer to have a sewer connection.

Mr. Sinaiko: Basically, Economic Development is for seats in restaurants. I can see Economic Development for rooming houses or summer worker housing. People who are in the pipeline... it is not fair to tell them it being reserved for affordable housing.

Ms. Meads: We need to back up. The Water & Sewer Board will be a pivotal board. This will not be a popular stance and I applaud Rich for taking the bull by the horns. However, we should not leave people by the wayside and tell them there is nowhere for them to go. Those people who are waiting because there is no other option have to be addressed. We will have to allow variances or we have to give them a hook up. We can't allow their property to become worthless because we reneged on a promise that we made. I don't think that a developer should be able to put in more units than they would have been able to put in if they had the capacity for a Title 5. We should look at this fairly. Affordable housing should abide by the same rules.

Mr. Waldo: This is why we are having this meeting. It is a sensitive topic. We want all the boards involved to come to a common consensus. Affordable housing has to conform to the same guidelines. If they can install a Title 5 then that is what has to be done.

Ms. Meads: We need to look at the priorities again and reshape them according to where we stand today.

Mr. Sinaiko: As I see it we don't have a collection problem.

Mr. Waldo: Actually, we have a vacuum system that was built for the original system that has been in the ground for 12 or 14 years. It has been overburdened quite a lot. The gravity system is a different situation; we can handle it.

Mr. Sinaiko: I have always thought we could use the equalization tank and design it as a batch reactor tank, but we can't get permits for that. There are additives we could use which speed up the process, which in turn would increase capacity. There might be other locations for tanks.

Ms. Meads: Will Title 5 look the same in ten years? Are there any changes coming down the road? Will we have that many properties that won't be able to comply?

Mr. Waldo: Just to let you know, the third recommendation we are making to the Board of Selectmen is a Town Warrant article for engineering studies to determine if there is anything we can do to the plant we have now, like batch reactor tanks and other technology.

Mr. Sinaiko: I would put some place at the table for people who can't fit a Title 5 on their property and Economic Development may have to a more expansive focus.

Ms. Meads... and the reining in of these huge projects that would never be able to do what they do if they had to comply with Title 5.

Mr. Richter: When we started the system we were very strict. If you could not fit an unvarianced Title 5 on your property then you could not connect to the sewer.

Mr. Waldo: That still exists today.

Mr. O'Malley: I am representing the Housing Authority pro bono. They were given a piece of land 950 Commercial St. The Housing Authority is not going to develop the property and decided to sell it. It has been on the market for about a year. There is a buyer who wants to build a single family home. The deal is contingent on him obtaining the permits. Over 18 months time we have been going through Growth Management and the regulatory process. At the last minute we had to go to Con Com; it was just done. The lot is not bettered because the Housing Authority owned it and it is

not subject to betterment. This is an example of what will get kicked out. The prospective owner wants to buy it and the Housing Authority wants to sell it and use the proceeds for other purposes. They have gone through a very complicated process thus far and now there is a rule change.

Ms. Meads: Did the rules actually change? Can they put a Title 5 in there?

Mr. O'Malley: It would be a raised system. We had to demonstrate that they could put in a system. It would be an expense and one of the original purposes of the sewer was to serve properties on the water. This is on the water. However, I have been told by the Town Planner that it is no longer a priority except for the "red dot delays".

Mr. Sinaiko: Those gallons are already accounted for. They are in the system whether they are hooked up or not. This is a perfect example of the type of problems we will encounter.

Ms. Meads: I think if a lot can accommodate a Title 5 then they should install one. There is a caveat here; it is waterfront. One of the missing pieces is that Coastal Zone Management Studies is doing studies of the harbor. Are we going to have to allow for gallons properties on the waterfront that have not hooked up? We really need to look at these priorities because we are so limited.

Mr. Waldo: Going forward, any project that comes before the Selectmen or the Board of Health needs to be questioned as to whether they really need the additional gallons. What are the critical things we need, in this point and time, to give someone a sewer connection?

Ms. Meads: How can we increase capacity in the future? Will the building of another treatment plant be necessary?

Mr. Waldo: We need to give our engineers time to do a real study and investigation to determine what opportunities are out there.

Mr. Sinaiko: Does that require funding at Town Meeting to do that? Could we get some conceptual ideas that we could brainstorm on further?

Mr. Waldo: We still need funding and it needs to come from borrowing authorization.

Ms. Prada: The meeting with the Board of Selectmen will be an hour and a half. It is a public meeting. There will be people there who will want to speak. I think this Board should be prepared with the questions you want to ask. I don't think time will allow a lot of discussion at the meeting.

Mr. Waldo: The point is to give the Board of Selectmen the point of view from the Water & Sewer Board and the Board of Health. The Board of Health has its own list of priorities.

Ms. Meads: I think we are trying to make decisions on priorities even before we have all the information that we need. We need this information... where are the cesspools, where are the vacant lots located, what are the changes to Title 5 coming down the pike? What is the ability to expand the sewer treatment facility? What information is missing that we need?

Mr. Waldo: I think we are trying to get the priorities set before people come out of the woodwork asking for gallons. If we don't have priorities set when we have 750,000 gallons everyone will want a connection and deplete out gallons.

Ms. Meads: Can you draw up a list of speaking points for the Board before that meeting as a starting point?

Mr. Richter: Speaking of a Title 5 on the waterfront, considering the high velocity zones... we may want to make it one of our conditions that you can't have a bunkered system on the waterfront; the property must have a sewer system. FEMA says everything on the water is high velocity.

Mr. Waldo: One of the suggestions I will make is that all requests come before Planning and the Board of Selectmen during the EDP process first to determine if the gallons are available. Not go through the process first and then find out the gallons are not available. No project goes forward without our input first. There will be a moratorium on voluntary connections. They will be put on a "hold list".

I think you should pose the question to the board of Selectmen of what is economic development. Is it seats in a restaurant or is it year round residents? What is more of the priority, a home that will house more year round residents or a business that only serves six months out of the year? A fifth priority you might suggest is to take 1,000 gallons from EDP and make it available for voluntary connections.

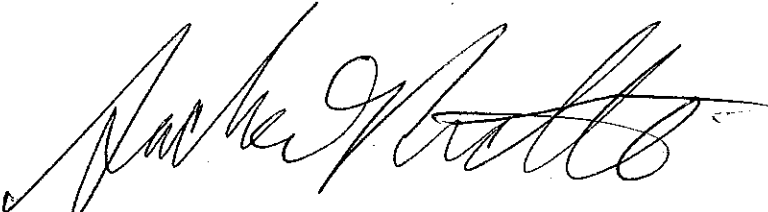
Mr. Sinaiko: You should make a statement that it is vital that we have a Town Meeting vote to do a study to find out what potential capacity we might have that is reasonable.

Mr. Waldo: There is potential draft article material in the report that will be read at the meeting with the Selectmen. Ultimately, in the end, it is the staff that brings forth the articles.

Mr. Sinaiko: I would like to have a definition of what "economic development" is. How is it defined now?

Adjournment:

There being no further business, Mr. Sinaiko moved to adjourn the meeting at 5:22 pm. The motion passed unanimously.



3/19/15