

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

SPECIAL MEETING – MONDAY, DECEMBER 19, 2005 (6:00 PM)

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews convened this special meeting at 6:00 PM noting the following attendees: Board of Selectmen members: Cheryl Andrews, Sarah Peake, Michele Couture, Richard Olson, David Nicolau

Other attendees: Town Manager Keith Bergman, DPW Director David Guertin and Facilitator John Goodrich.

Recorder: Sarah Peake

The following are meeting minutes, in brief.

1. WASTEWATER FACILITATED MEETING

Led by John Goodrich

Chairman Andrews called on John Goodrich.

John Goodrich: Gave overview of the agenda.

1. Big picture.
2. Critical Path Tasks
3. Sewer System Optimization

The following are notes from Facilitator John Goodrich.

Introduction

The following topics were discussed at the December 19th Facilitated Meeting of the Board of Selectmen:

- An overview of the next stage in the sewer system project
- Updates on critical path tasks
- A review of the Laundromat proposal
- Sewer system optimization and expansion planning tasks
- Schedule for upcoming facilitated meetings.

The following notes summarize (i) the presentation of new information not contained in the Packet for the December 19th meeting, (ii) the discussion, including questions from the Board, and (iii) Staff action items, including the information discussed at the follow-up staff meeting held on December 20th.

Overview of the next stage in the sewer system project.

The Facilitator summarized and explained the information contained in the Packet for the meeting. This included a description of the several steps that can be followed by the Town:

- Critical path connections can proceed immediately – these do not need to wait for the overall planning effort to be completed. Critical path connections include the remaining red-dot delay and delinquent properties, the Pier and the Manor, an extension to serve a proposed Laundromat, and the use of the recently authorized Sewer Bank approach.
- The existing plant has sufficient capacity to handle a lot of additional connections. Therefore, the sewer system optimization and expansion planning will focus on using this available capacity to meet the needs of those who have expressed an interest in connecting to the sewer.
- Should even more capacity be needed, the plant can be expanded to its build-out capacity. The planning effort will include tasks designed to identify the build-out capacity, the costs that would be incurred, and a timeline.

The Board was pleased with the fact that the critical path connections can proceed immediately. The Board was also very pleased to hear that there should be sufficient capacity at the existing plant to meet the needs of a significant portion of the properties that have already expressed an interest in connecting to the sewer. To date, 475 properties have expressed such interest. The current ballpark estimate for available capacity once the critical path connections have been made is about 125,000 GPD of Title 5 design flows.

The Board was particularly pleased to learn that any policy decisions that are made to move ahead now with the critical path connections or with any other “fast track” connections will not adversely affect the ability to provide connections later to those that have expressed an interest and, in particular, to those who may need a connection to the sewer at a later date. In particular, the Board would like to be assured that if the Grand Union is included in a “fast track” sewer extension to serve the proposed Laundromat, there would still be sufficient capacity for properties that may need a connection at a later time.

Updates on critical path tasks

In response to questions and comments from the Board, the following clarifications were made:

- Once the current connection price incentive expires on December 31st, there will not be any pressure placed on red-dot delay properties to connect. All of the recent efforts have been to encourage connections, not to pressure anyone to connect.
- Funds placed in escrow for ACOs do not go into the WWEF until the connection is available to the property – this is the same procedure as was used for the first phase of the sewer project. A financial update for the WWEF will be made at the next facilitated meeting.
- In terms of the construction timeline for the Pier connection, the DPW is hopeful that the same contracting procedure can be followed with M&E as with the red-dot delay properties. The Town’s DBO process has already met with EOT approval and now they are looking at whether or not M&E can internally bid the construction work and still meet the public bidding requirements. The Town anticipates a favorable decision.
- The Board will be provided with a periodic update on the amount of gallons that are being deposited into the Sewer Bank. There is an on-going process to refine the data-base for the 525 properties connected to the sewer, including Water & Sewer Board review of any changes to the assigned GPD.
- The Town will review a draft of the proposed Sewer Bank Agreement with the DEP at a meeting scheduled for January 18th. Town Counsel Jeanne McKnight’s September 2005 draft will be provided to the DEP, together with a protocol to be prepared by M&E discussing how they will review each situation on a case-by-case basis.

A review of the Laundromat proposal

The Board was provided with an update on the Laundromat proposal and options, including the need for the Board to make important policy decisions no later than the January facilitated meeting in order to meet the very ambitious schedule of having a Laundromat on line for the 2006 summer peak season.

In response to the Board’s comments and questions, the following clarifications were made and action items agreed to:

- The Board will need to have clear, written motions to act on. Motions for any policy decisions that are needed from the Board will be brought to the Board at the January 17th facilitated meeting. The Staff and M&E will be meeting with Brian Dudley of the DEP on January 18th to review the permit approval process and timeline for the sewer extension to serve the proposed Laundromat.
- The Board is looking for an approach that is “economically feasible” and where there are clear financial commitments to cover the costs that will be incurred for any sewer extension to the proposed Laundromat. The Board recognizes that this is the only proposal the Town has received for a Laundromat, and that this is the only location that has been proposed – this location already has a transformer, which is an important cost consideration.
- The Laundromat proposer has expressed a strong interest – he will be invited to the January 17th facilitated meeting to express his commitment to the proposed sewer connection. Staff will also talk to the Grand Union prior to the next meeting to ascertain how strong their interest is, and whether or not they can commit to the proposed sewer connection. The Town Manager will work with Town Counsel Jeanne McKnight on a draft of the “business terms” for

the proposed agreement with the Laundromat proposer.

- The Board would like the staff and M&E to develop several options or scenarios to present to the Board, showing how the costs can be met. For example, it is expected that the extension will not be economically feasible with only the Laundromat connected, and it may not be economically feasible with just the Laundromat and the Grand Union connected. One option that will be looked at involves the Laundromat, the Grand Union, and a possible affordable housing project.
- The Staff and M&E will work to develop options that can cover any costs of the proposed extension that would not be borne by the Laundromat and the Grand Union. This will include an update on the proposed affordable housing project, as well as a preliminary estimate of any other adjacent properties that could be connected to the sewer extension in order to ensure that the extension is economically feasible. M&E will be asked to look at the most economically feasible options for providing for connections to the Laundromat, the Grand Union and the affordable housing site.
- The map of interested properties shows that there are a lot of interested properties in this area; in addition, the Annex (already under an ACO) and St. Peter's Church are two properties in this area that can benefit from a connection to the sewer as soon as possible. A lot of this area is low-lying which is one of the Board's priorities for future sewer extensions. The Town has already prepared a map of the area that is below the 10-foot contour – this map will be provided to M&E for their analysis.
- The analysis of the options will include a preliminary estimate of the Betterment rate to be charged and any other key financial parameters, including how the connection costs would be handled. The Betterment rate is expected to be higher than the current rate.

Sewer system optimization and expansion tasks

To date, the Town has used Title 5 design flows for both sewer system planning and to calculate the Betterment to be charged to each property owner connecting to the sewer. On the other hand, both the DEP permit approval and the sewer system engineering and operation focus on expected and actual peak flow, as seen either at the plant or in the vacuum collection system.

The DPW has been tracking actual flows since the plant went on line and has also been tracking the relationship between the actual flows and the Title 5 design flows, among other parameters. Since the Town will want to continue to charge a Betterment based upon Title 5 design flows for consistency, the next stage of the planning will utilize both Title 5 design flow estimates and expected peak flow calculations. M&E will review the actual data for the system as built and for the properties that are already online to develop a "model" of the relationship between Title 5 flows and peak flows to use for planning, design, and permitting purposes. This approach will be reviewed with the DEP at a meeting on January 18th, and with the Board at a future facilitated meeting.

In response to questions and comments from the Board, the following clarifications were made:

- The estimate of 125,000 GPD of Title 5 design flows for available capacity at the plant is considered to be a good, conservative estimate at this time.
- M&E will be refining this estimate as described above as a part of the "needs analysis" effort.
- The Town requested and paid for more frequent measurements in 2005 in relation to the mass loading issue. M&E has recommended that additional measurements be taken during the peak period in 2006 to develop a more accurate understanding of the issue and to resolve the discrepancies in the data.

Preliminary staff suggestions for establishing priorities and procedures for additional connections to the sewer system were also discussed with the Board. Comments made by the Board included the following:

- The discussions and Board feedback at this point are only conceptual – the Board will want to consider formal motions concerning the priorities and the procedures for additional connections before making the policy decisions. The staff will plan to bring more detailed information to the January facilitated meeting, and to prepare formal motions for a later facilitated meeting.
- Even if there is plenty of capacity, preference should still be given to highly variances properties.

- Low-lying areas that may necessitate mounded systems should be looked at carefully, in both the East End and the Shank Painter areas.
- The suggested procedure of requiring all properties that are served by a new sewer extension to connect unless they meet certain criteria will need to be looked at and worded very carefully. For example, it was suggested that a property would either need to have a “BOH-approved Title 5 plan” (already in place or designed), or otherwise they would have to connect to the sewer. It may be appropriate to hold a formal public meeting or hearing to consider these procedures before they become policy.
- For the policy priorities for affordable housing and year-round economic development, it may be necessary to develop “placeholders” for the amount of gallons of flow to be set aside for these important future public service uses. Also, M&E may be able to suggest some of the best locations for such uses from a system design and operation standpoint.
- Although the staff proposal to have property owners be responsible for the connection from the stub at the curb to the building may work well for new sewer extensions, a procedure needs to be worked out for handling the more complicated connections in the downtown area which may involve buffer tanks or other equipment related to the vacuum system.

Schedule for upcoming facilitated meetings

The Board agreed to the following dates – all meetings will be start at 5 PM:

- Tuesday January 17th
- Monday February 6th
- Wednesday February 22nd.

A meeting was also tentatively scheduled for Monday March 6th.

The January 17th meeting will focus on the Laundromat sewer extension, including any Board policy decisions needed to move the project forward. Updates will be provided on all of the other critical path tasks, and there will be a discussion of the procedures to be followed and the timetable for the “needs analysis”. Rob Adams from M&E will be present at the January 17th meeting.

Motion to adjourn by Michele Couture at 7:50 pm.

Minutes transcribed by: Vernon G. Porter
December 28, 2005