

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

SPECIAL MEETING WASTEWATER

MONDAY – SEPTEMBER 25, 2006 [4 PM]

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews convened this special meeting at 4:00 PM noting the following attendees: Board of Selectmen: Cheryl Andrews, Michele Couture, Richard Olson, David Nicolau, (Sarah Peake arrived at 4:43 pm)

Other attendees: Acting Assistant Town Manager Michele Jarusiewicz, DPW Director David Guertin, DPW, Austin Knight Water & Sewer Board, Ron Adams of Metcalf & Eddy and Facilitator John Goodrich.

Recorders: Vernon G. Porter and Facilitator John Goodrich

The following are minutes, in brief.

PUBLIC HEARING

Sewer System Optimization and Expansion

Chairman Cheryl Andrews turned the agenda over to Facilitator John Goodrich.

Opening remarks were made by John Goodrich on the Sewer System Optimization and Expansion then the Chair open up the discussion to public comments. (*See attachment #1*)

Public Comments were received from: Ted Malone, Warren Goth, Gary Delius, Hugh Gallagher and Robert O'Malley and are addressed in the following notes.

Introduction

On September 25th the Board of Selectmen held a Public Hearing on the proposed Phase 2 expansion of the sewer system to serve the Shank Painter Basin and the DPW Highway Garage site for affordable housing. The following notes summarize (i) questions and comments from the Public Hearing, (ii) the discussion and recommendations from the Board, and (iii) the action items and other information from the Wastewater Team's follow-up discussions held on September 26th.

Public Hearing on the Proposed Phase 2 Sewer Extensions

The questions that were raised at the Public Hearing and the comments from the Board were primarily related to either the outreach efforts in the area to be served by the Shank Painter Basin sewer extension, or to future affordable housing proposals.

Outreach to property owners in the Shank Painter Basin area.

Some of those who spoke at the Public Hearing indicated that although they felt that the September 6th Neighborhood Meeting was very informative and had been well attended, many in the affected area were either still not fully informed of the impending sewer extension to their area, nor of all the reasons that they should consider signing up. In some cases, property owners did not take the earlier mailings seriously until the announcement of the Neighborhood Meeting. In other cases, property owners are rarely in town and may not pay any attention to either the mailings or to other publicity.

In other cases, property owners are not likely to see the benefits to them personally unless someone they know explains the benefits carefully to them. Some of the issues of most concern to property owners are: (i) what will it cost? (ii) what long-term financing is available?, (iii) what is the cost to make the connection, and (iv) what will it cost per gallon?

During the discussion between those who spoke at the Public Hearing, the Selectmen, and the Wastewater Team a number of excellent suggestions were made, which are described below. The Selectmen would like to see additional outreach efforts beyond the mailing programs, but recognize that it is not feasible to undertake a door-to-door campaign throughout the entire Shank Painter Basin, particularly since many property owners are not in town much of the time. It was suggested that the Council on Aging and property management firms might be of assistance in making contact with some of the more difficult to reach property owners. Specific properties to focus on include those with cesspools and those owned by elderly persons.

Following the Public Hearing, the Wastewater Team has initiated the following outreach activities and will update the Board on all of these activities at the next Facilitated Meeting, which is scheduled for October 10th:

On September 26th, the Wastewater Team met with Council on Aging Director Valerie Carrano and her staff to discuss a targeted Outreach Program to seniors in the proposed Shank Painter Basin sewer extension area. With the assistance of the Wastewater Team, the COA has placed an insert in the October COA Newsletter, which goes out on September 29th – a copy is attached. The COA is reviewing the list of property owners in the Shank Painter Basin provided by the Wastewater Team to identify which property owners are seniors so that representatives from the Town can contact and visit them to ensure that they are fully informed of the sewer extension proposal and all of their options.

The Wastewater Team is continuing to work with the COA on other potential ways to both contact and inform each senior property owner in the affected area. Two important topics that have been identified that warrant greater education to the senior population are: (i) the Board of Health requirement to upgrade cesspools at the time of property transfer and (ii) the Barnstable County Loan Program for eligible persons.

In addition to this targeted program for seniors, the Wastewater Team has prepared a Draft map and poster to be displayed in various public locations – including the Grand Union, the Post Office, Town Hall and the Library – as well as published as a display advertisement in the Banner. The “Public Notice” clearly explains (i) the area that the sewer will be extended to, (ii) those properties that have already expressed an interest and those that have not, and (iii) the December 1st deadline for requesting a sewer extension for those who have not yet expressed an interest. A copy is attached.

The Wastewater Team is working with the staff of the Banner to prepare a map of the proposed sewer extension area and other clear information for property owners in the Shank Painter Basin for inclusion in an upcoming Banner article on the project. The Wastewater Team will also be providing similar detailed information to property management firms and realtors so that they can inform their clients, some of whom may not be reached by the other outreach programs.

As Metcalf & Eddy and the Wastewater Team continue to refine the estimated flows and the database for the proposed sewer extension area through review of all of the Board of Health files and site visits where appropriate, additional information is being developed every day concerning cesspools and other important site-specific situations. The Wastewater Team will take all of this information into account as they carry out the outreach program.

Future Affordable Housing Proposals

A developer of affordable housing - Ted Malone - asked several related questions concerning whether or not capacity could be made available for future affordable housing projects if the property owner has not yet made a decision to participate in the Phase 2 sewer extension prior to the December 1st subscription deadline. Mr. Malone has potential projects that could be served by both of the proposed sewer extensions – on Franklin Street and on Nelson Avenue.

The Wastewater Team explained the guidelines of the Phase 2 program, including the goal of allocating all of the available capacity to properties that are ready to connect, so that the Betterments will cover the cost to construct the system. As presently proposed, there would be no guarantees of a connection once the

subscription period has ended, but any available capacity that remains would be used first for Town priorities, which include affordable housing.

More importantly, the Board has set aside approximately 25% of the available gallons for Phase 2 as a “placeholder” for affordable housing projects. The Board pointed out that since Mr. Malone’s Nelson Avenue project may well be ready for construction before any housing on the DPW Garage Site is ready to go, it may be appropriate to allocate some of this reserve capacity to that project.

The Wastewater Team will continue to work with the town’s affordable housing proponents in preparation for the upcoming facilitated meetings for the wastewater project and will provide the Board with recommendations on the best ways to utilize the proposed affordable housing placeholder for those projects that are most likely to proceed in the time frame proposed for the completion of the Phase 2 sewer extensions.

Attachments

Insert for the COA October Newsletter (*Attachment #2*)

Draft Public Notice Poster (*Attachment #3*)

Discussion of Future Facilitated Meetings

At the conclusion of the Public Hearing, the Wastewater Team recommended that the following topics be discussed at upcoming facilitated meetings of the Board so as to meet the deadline for filing the formal SRF application and DEP permit by January 15th, 2007. The Board agreed to the following meeting dates:

- Tuesday October 10th, 4 – 6 PM
- Monday November 27th, 4:30 – 6 PM
- Monday December 11th, 4:30 – 6 PM.

The Wastewater Team will report on the following at the October 10th Meeting:

1. The proposed Warrant Article for the November 13th Special Town Meeting for the sewer system optimization and expansion.
2. An update on the Outreach Program for the Shank Painter Basin.
3. An update on the procedures for determining allowable flows for properties connecting to the sewer, including any permit approvals required by Growth Management. The Wastewater Team will be meeting with Building Commissioner Douglas Taylor on October 4th to discuss these procedures in preparation for the October 10th meeting. Town Counsel Jeanne McKnight will be attending the October 10th Board of Selectmen meeting to address questions on this subject, as well as to answer other questions that the Board may have concerning the subscription sign up and sewer extension designation processes.
4. An update on the permitting requirements, including (i) the results of the October 4th meeting with the engineers from M&E and Brian Dudley of the DEP on the mass loading and capacity issues, (ii) the recent meetings with the Cape Cod Commission concerning any DRI requirements, and (iii) the status of filings with MEPA and the Provincetown Conservation Commission, and
5. An update on how capacity can be made available for additional year-round economic development and for affordable housing.

The topics for the November 27th Meeting will include Board policy guidance on the placeholders to be reserved for economic development and affordable housing gallons for the proposed Phase 2 sewer extensions, following the November 13th Special Town Meeting. The topics for the December 11th Meeting will include finalizing the sewer extension areas and properties to be served, following the close of the formal subscription period on December 1st – including any policy decisions that may need to be made as to priorities should the available capacity be oversubscribed.

Motion to adjourn by Michele Couture at 5:52 pm.

Minutes transcribed by: Vernon G. Porter and John Goodrich
September 27, 2006