

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
SPECIAL MEETING – MONDAY – OCTOBER 25, 2010 5 PM
LARKIN HALL

Chairman Michele Couture convened the meeting at 5:00 PM noting the following Board of Selectmen attending: Michele Couture, David Bedard, Austin Knight, Elaine Anderson and John Santos

Other attendees: Assistant Town Manager David Gardner

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

1. WATER – REPROGRAMMING & LEAK KMANAGEMENT

DPW Director David Guertin, Facilitator John Goodrich and Mark White of Environmental Partners

David Guertin – gave a brief overview and introduced John Goodridge for his report.

Facilitator John Goodrich

Based upon the discussions held in October with both the USDA and the MCDBG program staff and the recently completely reprogramming review, the Water Team has prepared a recommendation to the Board of Selectmen for the reprogramming of the available funds. The very good news is that the Town can do both the North Union Field program and a modified water treatment program that will meet all of the planned treatment objectives with the funds that are available from the USDA and MCDBG grants together with the borrowing that has already been authorized by Town Meeting. This is possible primarily due to the fact that there can be substantial reductions in construction and equipment costs in the current economic climate if the Town goes ahead right now with both the North Union well field development and the Knowles Crossing water treatment plant programs.

First priority for reprogrammed USDA funds is North Union Field. Projected costs to implement the new well field program have been substantially reduced due to lower permitting and engineering estimates, as well as reduced construction costs for the well field development in the current economic climate. The second priority for reprogrammed funds continues to be the very successful and important leak management program and the Water Team recommends increasing funding for this program.

The next priority for reprogrammed USDA funds continues to be the water quality treatment plant to be located at Knowles Crossing. Since the reprogrammed funds will allow us to do the membrane and treatment plant as planned, the MCDBG grant funds can be used without reprogramming. The projected costs to implement this program are much less than were projected in the USDA grant application, due to substantially lower bid and construction costs and a modification to the treatment plant building.

The lowest priority for reprogramming for USDA funds is the tank program. The engineering analysis that has been recently completed showed that it is too complex to raise the Mt. Gilboa tank because of the existing foundation that the tank sits on. The Water Department has already been working very successfully to use the existing valves and manifolds to achieve the desired tank equalization and

therefore no further improvements are needed to accomplish the planned water tank equalization objectives.

Town Counsel John Giorgio and bond counsel have reviewed the proposed borrowing and concur that our Town Meeting authorizations do allow us to proceed as recommended. Both USDA and MCDBG are fully supportive of our proposed reprogramming. No changes to the MCDBG program will be required and USDA has verbally approved the reprogramming and will only require a letter that compares the original versus the reprogrammed program. Board approval of the reprogramming on October 25th is needed to meet the timetables that the agencies want us to meet.

Total estimated costs for the reprogrammed program are \$12.3 million, of which \$3.4 million will come from borrowing. Town Meeting has already authorized more than this amount for the North Union and water quality treatment projects. Therefore, we will need to borrow less than had been anticipated. We already have a loan commitment from USDA for \$2,450,000 at 2.375% for 40 years, and we have assurances that we will be high on the list for the additional borrowing amount from their regular FY11 funding. The Water Team will be bringing procurement requests forward in November for the membrane procurement and the re-starting of the North Union Field permitting and well development program. In addition, the Walsh land purchase will be able to move forward once the Board approves the reprogramming and the Town submits the necessary Memorandum to USDA for their written approval.

The Water Department continues to identify major sources of unaccounted for water as a result of both the grant-funded and the ongoing department leak management programs. Of the approximately 1,000 water accounts inspected since mid-June, 83% have been found to be non-compliant in some way, including 33 with missing pins and about 170 with taps before the meter.

All of the meters with missing pins have been repined by the Water Department and the property owners have been sent a formal letter advising them that their meter has been "repined" and that the Water Department will be monitoring their consumption and, should it be found that the pin has been removed on any follow up visit, they will be subject to a \$1,000 fine. Interestingly, very few properties with missing pins have been identified recently now that this inspection program has been well publicized.

Enforcement notices are sent out each week to those properties that were found to have taps before the meter during the previous week's inspection. Each property owner is sent a formal notification by certified and regular mail, with an order to correct within 14 days or they will be subject to the \$1,000 fine noted in the Water regulations, and possible water service termination. A representative of the Water Department will meet with them if they request a visit, and will perform a follow up visit to verify that the correction has been performed.

To date, 168 letters have been sent out to water account owners of record for non-compliant taps before the meter. 68 of these account owners have fully complied and have been sent a thank you letter. Half of the remaining properties are in the process of complying, and there are approximately 50 water accounts (for fewer than 20 properties) that have not either responded or begun the necessary compliance within the mandatory 14-day compliance period.

Some of the properties that are out of compliance have been shut off for the off-season and there service will not be turned on again until they have fully complied. For any of the other properties that do not contact the Water Department to indicate that they will comply with the enforcement notice, the Water Regulations provide that with a five-day notice water service may be terminated. The Water Department will be sending a strongly worded final notice - prior to any termination notice - to any property that has neither complied nor responded to the previous notices.

About 40% of the water accounts inspected to date have meters that are located more than 50 feet from the curb stop. The inspection team expects that this percentage will drop substantially over the next year as the program focuses more on the downtown area and other areas where the meters are located much closer to the street. As more information becomes available, the Water Team will update the estimated costs to provide meter pits at the curb stop for all of these properties and will pursue both additional USDA FY11 funding as well as MCDBG grants to cover the costs of relocating these meters.

As previously discussed with the Board, the MassDEP Water Conservation Grant includes funding for a water conservation public education program Woodard & Curran is working with MassDEP to finalize the content for this conservation information. The Water Department is preparing a tri-fold that will be sent out with the next water bill in November. This mailing will describe the turn on and turn off requirements and the service that is provided by the Water Department. The same information will be distributed to all of the local area plumbers who provide services to property owners.

Robert B. Our has finished the water service work on Thistlemore and Howland Streets and started the water main construction on Bradford Street in the area from Kendall to Allerton and work on the water services in this area will start this week. As was the case with the spring construction, notices will be placed on the doors of all properties that may experience service disruptions.

The focus of AECOM this past month has been on the numerous approvals required for the Board-approved Phase 3A construction program. USDA has approved AECOM's Change Order for the remainder of the Phase 3A construction work. The Board approved this change order at the September 27th meeting, conditioned upon USDA approval. AECOM is still waiting for important approvals from MassDEP for the West End gravity force main sewer extension permit, from MEPA for the Notice of Project Change, and from MassDOT for construction go-ahead in their portions of Route 6A.

The Wastewater Team is continuing with the outreach program leading up to the November 1st deadline for signing up for a Phase 3 sewer connection. The publicity concerning the deadline has resulted in a number of additional property owners signing up in the past several weeks. To date, 160 properties representing approximately 150,000 GPD of Title 5 flow have formally committed to connect during Phase 3, and a number of condominium associations are still in the process of making a final decision.

Once the deadline has passed and the committed interest is known, then AECOM can analyze which segments have sufficient interest to be included, the available plant capacity and the projected need for additional plant capacity, and update the cost estimates so that Mark Abrahams can review these costs against the projected betterment revenue that will come from the new users. The Wastewater Team will review this information with the Board at the November 22nd Meeting, including a recommendation of which areas can be served in Phase 3 and what Treatment Plant improvements will be required in order to both satisfy the demand for Phase 3 connections, as well as provide adequate capacity for ACOs and future needs.

The Wastewater Team, AECOM, and Mr. Brian Dudley of the MassDEP met with staff of the Cape Cod Commission to review the plans for Phase 3B of the sewer system and to seek their sign-off that the Beach Point sewer extension does not affect the Commission's March 2001 DRI decision or findings. This is consistent with the letter that the Commission gave the Town in 2009 for the then proposed Phase 3A. This recent sign-off was very important since the project area has significantly expanded since then, as a result of the award of the USDA stimulus grant that included the Beach Point area.

The Commission's letter reminds the Town that the DRI decision limits the capacity of the wastewater treatment plant to a maximum of 575,000 gallons per day of Maximum Daily Flow. The Wastewater

Team has reviewed with the Commission that there is an increased potential for a plant expansion sooner rather than later due to the high degree of interest in a Phase 3 connection, and the Commission is ready to work with the Town to expedite a “Modification” to the DRI for any needed plant expansion. They understand that the effluent beds are already sufficient to handle 750,000 GPD – and have already been approved by MassDEP at this level.

The third quarterly report was submitted earlier this month as required by the ARRA public reporting procedures. Financial consultant Mike Abrahams is working with the Water and Sewer Teams on an update of all of the water and wastewater accounts in preparation for his presentation to the Board at the November 22nd Selectmen’s Meeting.

MOTION: *Move that the Board of Selectmen vote to accept the recommendations of the Water Team as stated in the Report for the reprogramming of the available grant funds to the North Union Well Field as the first priority, and the proposed Water Treatment Facility as the second priority.*

Motion by: Austin Knight

Seconded by: Elaine Anderson

Yes 5 Nay 0

Motion to adjourn by David Bedard at 5:59 PM.

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
October 26, 2010