

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

PUBLIC WORKSHOP - MONDAY – JUNE 18, 2012 4 PM

TOWN HALL – JUDGE WELSH ROOM

Chairman Austin Knight convened the meeting at 4 PM noting the following:

Board of Selectmen attending: Austin Knight, Elaine Anderson, David McChesney, John Santos and Erik Yingling.

Other attendees: Town Manager Sharon Lynn, Assistant Town Manager David Gardner and Finance Director Dan Hoort.

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

1 PAVING RELATED SEWER AND WATER ISSUES

Attendees: DPW Director David Guertin, Deputy DPW Richard Waldo, Interim Operations Director Sherry Prada, Facilitator John Goodrich, Rob Adams and John Finnegan of AECOM and Nate Weeks of GHD.

Town Manager Sharon Lynn – gave a brief overview for the reason for tonight’s meeting.

Austin Knight - Maybe in the future a third of the paving cost could be covered by the Wastewater Project, with the remaining two-thirds being town shared to help us secure grants.

Facilitator John Goodrich

The report attached to this agenda item summarizes the following issues discussed at this Work Session:

1. Framing the Questions for Discussion
2. GHD Pavement Management Plan Update
3. Potential Funding Sources for Paving and Their Restrictions
 - Chapter 90 Funding
 - Grant Funding
 - Sewer System Improvements Funding
 - Water System Improvements Funding
 - General Fund
4. Review of the Paving Policy Issues Related to the Sewer System
 - Areas Served by the Sewer in Phases 1, 2 and 3
 - Potential Areas for Sewer Extensions
5. Summary of the Paving Policy Questions
 - Paving Policy Questions Related to the Sewer System
 - Paving Policy Questions Related to the Water System
 - Next Steps

The report also includes a brief update for Phase 3 of the Wastewater Project in support of the Change Order requests for AECOM for the Wastewater Project.

At the April 9th Selectmen's Meeting, the Board voted 5-0-0 to establish a policy that all Phase 4 sewer expansion require curb to curb repaving. Over the last two months, the Department of Public Works - assisted by its Sewer and Water Teams - has identified a number of important paving related sewer and water policy questions and funding issues that we think will need to be addressed as a result of this policy vote.

Therefore, we recommended that the Board hold this work session today to discuss these paving related issues. Since there are a number of important questions to be resolved, this may be just the first of several Board meetings that will be needed before all of these policy questions can be addressed. We would like to resolve all of the issues by the end of the summer season in advance of the next budgeting process and the next off-season construction period.

The Report that we have prepared for the Board as background for this work session includes the following three topics, plus very brief updates for the on-going Water and Wastewater Projects. You have a separate agenda item tonight to approve two AECOM change orders - one for the work to be done at the Plant to serve the remaining Phase 3 connections, and the other for the vacuum sewer work we discussed at the May 14th Meeting to accommodate the increased EDP flows and to serve the additional hook ups.

The 1st topic is the pavement management plan update prepared by Nate Weeks of GHD. Mr. Weeks will be providing the Board with a formal review of this plan by the end of July. There are also two related agenda items tonight – the updates for the Commercial Street drainage and paving project, and the status of the 319 grant application for additional drainage and paving work for Commercial Street – and the Board may wish to discuss these related topics during this work session.

The 2nd topic is a review of the potential funding sources for paving including any restrictions we are aware of regarding the use of such funds for paving related sewer or water work. In particular, there are very limited funding sources that can be used to provide sewer stubs for future users before curb-to-curb paving is done in any area. Our options are limited because we cannot use betterment revenues from those users who connect to the sewer to pay for laterals, or stubs for users who might need to or want to connect in the future. For Phase 3 of the sewer system, we relied on USDA grant funds to provide stubs for future users and all of those funds have been expended.

And, the 3rd and main topic is all of the paving policy questions that we have identified to date for both the Town's sewer system and the water system. This includes not only the policy questions raised by the Board's vote on April 9th but also the possible unintended paving policy issues that we have identified since then. Although most of the questions involve the expenditure of public funds which may result in higher assessments, user charges, or taxes, a number of the policy questions involve potentially higher costs for property and business owners for owner-initiated changes in service that they are required to pay for directly.

I would like to highlight several of these policy questions for you, and then we are ready to answer your questions and to discuss the issues we have summarized in the report.

Policy Question No. 1. For streets that are to be full-width paved using Grant or Town article funds such as the planned paving of Commercial Street, what funds are to be used to install sewer stubs for future users and for water services work to be done before the paving? For example, the Commercial Street paving work is scheduled to start October 15th after Women's Week as previously approved by the Board. Therefore, any work associated with either water services or the installation of sewer stubs will need to occur starting the second week of September and prior to Women's Week.

The water services work has already been completed from Freeman Street to Seaman's Bank, so the remaining water services work will be in the portions of Commercial Street from Johnson to Freeman, and from the bank to Atlantic. There are sufficient funds left in the Commercial Street Water Article to cover the cost for the water services that need to be dealt with.

As a part of the planned work this fall to accommodate the increased EDP flows and to serve the additional hook ups to the vacuum sewer, AECOM is planning to provide laterals and sewer stubs for the 8 properties located between Johnson and Atlantic that have not requested a connection to the sewer. This work will need to be completed before Women's Week. However, there are no Wastewater Project funds available to provide the vacuum structures that will be needed in the future for these 8 properties. If these structures are not installed in the street before the paving occurs, then if and when any of these properties need to connect in the future, a structure would need to be installed either in the street, in the sidewalk, or on private property.

No. 2. For any new "Phase 4" sewer extensions that are subject to the Board's April 9th policy vote, which streets will require full-width paving, what funding sources will be used for this paving, and what funding sources will be used for stubs for future users and for any water services work that should be done before the full-width paving?

The summer 2011 outreach program identified approximately 100 additional properties that are interested in a connection as shown on the map in your Report. These properties signed up for a sewer connection at a betterment rate of \$45 per gallon per day, but if the cost to serve each of the Phase 4 areas is to include full-width paving, it is likely that the betterment rate would need to be \$60 per gallon per day or more since most of these areas have a low density of Title 5 design flow.

Based upon our experience with previous phases, many fewer properties would be interested in a sewer connection at a cost of \$60, which would further raise the per gallon per day cost to serve the remaining properties. And, if the betterment rate for Phase 4 will need to be more than \$45, the Town will need to re-do the entire Phase 4 outreach program to identify those properties that would still be interested in a sewer connection at the higher betterment rate. This process will probably delay the construction and completion of Phase 4 by a year.

No. 3. For the MCDBG Grant application for a sewer extension for Maushope which is one of the potential Phase 4 service areas, we have several specific questions that we need answers to before we can undertake the engineering needed to submit the grant application. Does the Grant application need to assume full-width paving for each of the streets and the provision of stubs for future users?

No. 4. For areas not served by the sewer that are scheduled for full-width paving, should there be a policy that the street will not be opened for sewer service for a minimum number of

years? For example, the section of Bradford Street in the vicinity of Conway Street has not been full-width paved because this subarea is currently on hold pending a decision as to whether or not there will be sufficient interest to cover the cost of a sewer main and pump station to serve this area. If there is not sufficient interest and this area is then paved curb-to-curb, should there be a policy that the street will not be reopened for sewer service for at least 5 years?

No. 5. For the Water and Sewer System emergency and routine repairs to sewer mains and water lines, what paving costs will need to be covered by the Water or Wastewater Enterprise Fund versus funds from Chapter 90 and the General Fund? If full-width paving is required and paid for by the Enterprise Funds wherever emergency and routine repairs occur in the future, this could lead to higher water and sewer rates.

No. 6. For owner-initiated water service line changes, what paving costs will need to be covered by the property owner? Should there be a requirement that the paving patch be curb-to-curb for a minimum distance each side of a disturbed area? For example, for condo conversions of 4 or more units, the state building code now requires a separate lateral from the water main to provide sprinkler service, to be paid for by the property owner. The cost for this service upgrade is currently capped at \$3,000 and could well rise to a much higher cost for curb-to-curb paving for a distance on either side of the lateral is required.

No. 7. For “infill” sewer hook ups, should there be a requirement. that the paving patch be curb-to-curb for a minimum distance each side of a disturbed area. For example, no stubs were installed in the section of Bradford Street from Howland to Priscilla Alden prior to full-width paving because no funds were available for this purpose. What should be the policy for properties that need to connect in the future? If the betterment charged the property owner needs to cover the paving cost, then there will be fewer infill hook ups in the future, and only for those properties with sufficient flow to cover all of the associated costs.

The plan for the Town’s pavement management needs is based on minimizing future repair/rebuild costs. It will provide recommendations on future capital expenses and can be used to prioritize the next maintenance and rebuild projects. (See GHD Update on the Pavement Management Plan located in the agenda packet Item #1 page 2.) Chapter 90 is used for major paving projects.

8 stubs at a cost or \$5K each. This is covered in the change order this evening. Install vacuum structure cost \$10K each – we do not have funding for that.

MOTION: Move that the Board of Selectmen vote to set a policy to outreach to the eight (8) property owners located between Johnson Street and Atlantic Avenue and relate to them that if they choose not to hook up at this time, there will be at least a five (5) year waiting period; and further that any future installation costs will be borne by the customer.

Motion by: Austin Knight Seconded By: Elaine Anderson Yea 5 Nay 0

2. COMMERCIAL STREET – PROGRESS REPORT

Phase I and II Reconstruction Projects

GHD Inc., - Nate Weeks Sr. Project Manager - Wastewater & Watershed Management went over the following report.

The design for the Phase I Reconstruction of Commercial Street is nearing completion and we

expect to start construction on October 15th. The proposed project milestones are listed below.

- July 31, 2012: Complete design and initiate bidding with project advertisement in the Central Register
- September 1, 2012: bid opening
- October 15, 2012: start construction
- May 1, 2013: end excavation work for 2012-2013 construction season
- May 15, 2013: end final paving work for 2012-2013 construction season
- October 15, 2013: possible start time for additional (contingency) reconstruction work
- December 15, 2013: end of possible additional time for reconstruction work

This work will be very disruptive to the people of Provincetown during the project construction. The following construction steps illustrate the expected construction process and disruption:

- Removal of old pavement and road base to a depth of about 2-feet across the entire width, and to a depth of 4-feet in the center of some portions of the road.
- Removal and replacement of all Stormwater drainage pipe and boxes.
- Removal and storage of existing curb stones.
- Installation of new stone road base.
- Installation of new 2-inch “binder course” of porous asphalt.
- Installation of curb stones.
- Repair and/or replacement of sidewalk.

This work is expected to proceed on a block-by-block basis which means that properties in the block area under construction will not be accessible by car for about a week or more. These properties will be accessible by emergency vehicles after each work day but general car traffic and parking will not be allowed.

In April or May, the final 2-inch “top course” (also called “wearing course”) of porous asphalt will be applied to the road in two to four sections. We will not be able to drive on this newly placed pavement for three (3) days.

The Phase I Reconstruction Project is from Johnson Street to Atlantic Avenue for a length of about 3,100-feet. It is noted that the water main was replaced from Freeman Street to the Post Office for a length of about 1,600-feet. The water mains in the two “ends” of the Phase I reconstruction length (Johnson Street to Freeman Street and the Post Office to Atlantic Avenue) appear to be in good shape and not needing replacement. Several water services and possibly some sewer stubs/valves will need to be installed in these areas before the road reconstruction starts in October. The DPW is planning this work in September and early October. This work will be much less disruptive than the road reconstruction work.

The Phase I Reconstruction Project is being funded by a \$1 million Public Works Economic Development (PWED, also known as MassWorks) grant. Preliminary cost estimates indicate that the \$1 million amount may not be sufficient for the total 3,100-foot length of street. The Town will have the ability to shorten the length of the project and/or utilize some of the spring Town Meeting appropriation of \$800,000 to cover a shortfall. We are developing the bidding documents to allow for flexibility.

The Phase II Reconstruction Project is envisioned to extend from Atlantic Avenue to the West End Parking Lot (approximately 2,300-feet in length). The Town recently submitted an

application for a \$600,000 grant from the MassDEP 319 Grant Program. That grant in combination with \$400,000 in Town “matching” funds (from the spring Town Meeting appropriation) would fund this \$1 million project. We hope to learn about our success with the grant application on or about September 28.

Phase I and II reconstruction areas are from West End Parking Lot to Atlantic Avenue and then Atlantic Avenue to Johnson Street.

MOTION: *Move that the Board of Selectmen vote to establish a Policy that there will be no parking on Commercial Street from Johnson Street to Atlantic Avenue, for the period covering November 1, 2012 through and including March 31, 2013.*

Motion by: John Santos **Seconded By:** David McChesney Yea 5 Nay 0

3. **FOLLOW-UP ON 319 GRANT**

Provincetown Harbor Stormwater Mitigation – Reconstruction Project Phase 2

Nate Weeks Sr. Project Manager - Wastewater & Watershed Management of the firm GHD Inc., went over this project and explained that this is a follow-up from the Board of Selectmen’s meeting on Tuesday, May 29, 2012, Agenda Item 1C, Stormwater impacts for a portion of Commercial Street (Atlantic Ave to West End Parking Lot) covered by matching funds of \$400K from 2012 ATM Article 5 #9. The complete report is available for review in the Board of Selectmen’s office,

4. **WASTEWATER PROJECT CHANGE ORDERS**

AECOM Change orders # 9-9 and 9-10

As reviewed with the Board at the May 14th Selectmen’s Meeting, the Sewer Team is bringing forward two change orders for AECOM for the planned improvements to the Treatment Plant, and the Phase 3 Close-out improvements to the vacuum sewer system.

All of this work is fully funded from betterment revenues from new sewer users.

The Treatment Plant work will increase the capacity so that all of the remaining Phase 3 properties can connect to the sewer in the off season before Memorial Day 2013 as planned. The vacuum sewer system improvements will serve the recently approved economic development permit flows, as well as the recently approved additional connections to the vacuum sewer.

MOTION: *Move that the Board of Selectmen vote to approve the following change orders to AECOM: (1) CO#9-9 for \$965,340 for the concrete flow equalization tank for the plant expansion to be funded from Article 6 of the April 2011 Special Town Meeting; and (2) CO#9-10 for \$735,900 for additional vacuum sewer connections to be funded from Article 5 of the April 2012 Special Town Meeting.*

Motion by: Elaine Anderson **Seconded By:** John Santos Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to take agenda item 7 out of order.*

Motion by: Austin Knight **Seconded By:** John Santos Yea 5 Nay 0

7. **BUILDING AND GROUNDS MOWERS**

DPW Director David Guertin - This is a follow-up on the report by Ray Duarte at your May 14, 2012 Board of Selectmen's meeting. We are now requesting to lease/own two commercial mowers in order to do our work. Related information is attached to the agenda item.

MOTION: *Move that the Board of Selectmen vote to approve the request of DPW Director David Guertin for the lease/own of two John Deere Z920A Commercial Quick Trac Mowers from 146 Supply Center, Inc., Millbury, MA for the sum of \$6,996.98 each year for three years.*

Motion by: Elaine Anderson **Seconded By:** John Santos Yea 5 Nay 0

5 **BUILDING COMMITTEE** - Request by Board of Selectmen

MOTION: *Move that the Board of Selectmen request the Provincetown Building Committee to assist departments or groups who wish to construct, alter, renovate or remodel town owned buildings, which will use in whole, or in part, Town funds for the work. In the immediate sense, to collaborate with the architects in their design of an efficient and cost effective Police Facility to serve the needs of the Provincetown Police Department. The facility shall portray a safe and welcoming image; uphold Provincetown's historic nature as well as civic pride and to maintain its community connection and policing philosophy while fitting into the aesthetics of its surroundings.*

Motion by: John Santos **Seconded By:** Erik Yingling Yea 5 Nay 0

6. **POLICE STATION BUILDING NEEDS** – 26 Shank Painter Road
Heating and Air Conditioning Needs

Staff Lieutenant James Golden - This is a follow-up from the Board of Selectmen Meeting on Monday, June 11, 2012, Agenda Item 5A.

Having problem with proposals received not being inclusive of what is needed to complete the project of installing HVAC.

Audio visual is progressing well and hopefully will be completed soon.

Erik Yingling would like a list of what is currently needed for current Police Station.

8. **OTHER** - None

Motion to adjourn by Elaine Anderson at 5:56 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
July 5, 2012