

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

SPECIAL MEETING – MONDAY – AUGUST 14, 2006 [4:30 PM]

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews convened this special meeting at 4:30 PM noting the following attendees: Board of Selectmen: Cheryl Andrews, Michele Couture, Richard Olson, David Nicolau

Excused Absence: Sarah Peake

Other attendees: Town Manager Keith Bergman, DPW Director David Guertin, DPW Financial/Administrative Coordinator Dana Faris, Facilitator John Goodrich

Recorders: Vernon Porter and Facilitator John Goodrich

The following are minutes, in brief.

1. WASTEWATER FACILITATED MEETING

Led by Facilitator John Goodrich

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

The following are notes from Facilitator John Goodrich:

INTRODUCTION

The August 14th Facilitated Meeting of the Board of Selectmen was devoted to a presentation by Rob Adams of Metcalf & Eddy on the results of the facilities planning and engineering for the optimization and expansion of Provincetown's sewer system, followed by questions and discussion by the Board. The Board has already been provided with a copy of Rob Adams PowerPoint presentation.

The purpose of the August 14th Meeting was to seek Board approval for the Wastewater Team to move forward with the next stage of the Facilities Planning for the Phase 2 sewer system optimization and expansion. Following the presentation and discussion, the Board voted 4-0 in favor of the Motion recommended by the Wastewater Team to approve the selection of areas W-1 (the Shank Painter Basin) and E-10 (the proposed DPW Garage affordable housing site) for further study for proposed Phase 2 Sewer Extensions, and to direct the Staff and Metcalf & Eddy to proceed with the next stage for these two areas, to include:

1. Preliminary engineering and cost analyses for these two areas in preparation for a presentation to the Selectmen on Monday, September 11th,
2. Submission of the formal SRF application by August 31st to qualify for 2% interest rate funding from the State,
3. Contact with property owners in Area W-1 to explain the proposed project and to solicit additional interest in connecting to the sewer,
4. Incorporating all available information on potential affordable housing projects for these two areas into the planning and engineering analyses, and
5. Preparation for a Public Hearing to be held from 4:00 to 5:30 PM on Monday, September 25th.

As a result of the comments and discussion, a sixth task will be undertaken by the Wastewater Team prior to the September 11th Meeting: incorporating all available information on potential year round economic development priorities (Growth Management Category 5) into the Phase 2 planning. Each of these six areas will be discussed under the detailed notes that follow.

The following notes summarize (i) the presentation of any new information not contained in the Packet for the meeting, (ii) the discussion, including comments, questions and policy direction from the Board, and (iii) the action items and other information from the Wastewater Planning Team's follow-up discussions held on August 15th.

Presentation of Facilities Planning by Rob Adams of Metcalf & Eddy

Rob Adams provided the Board with a presentation of the Facilities Planning work that Metcalf & Eddy is working on, including the following:

- *On-going studies to determine the available capacity at the treatment plant and in the collection system:* (i) August peak-month water meter readings, (ii) comparison of town-wide water pumping records with sewer system flows, (iii) more extensive mass loading sampling at the plant to understand why the readings are higher than expected, and (iv) sampling of restaurant grease traps to identify any potential sources of the unusually high mass loading numbers. The goal of the on-going studies is to obtain the necessary information so that the DEP will allow the Town to maximize the current treatment plant capacity with any Phase 2 sewer extensions and connections. Some of this information will be available for the next Facilitated Meeting on September 11th, while other information will be analyzed and summarized for the required submissions to DEP for Phase 2 permitting.
- *Results of the town-wide "Needs Analysis" including the responses to the second town-wide letter of interest.* M&E has completed the needs analysis for sixteen sub-areas located throughout the town. Each of these sub-areas was defined by topography – within each sub-area, all properties can be served by gravity flow to a pump station located at the low point in that area. From there, the effluent is pumped to either the next sub-area's pump station or directly through a force main to the treatment plant. The use of these sub-areas for facilities planning can provide the most cost-effective approach for both construction and operation of the proposed sewer extensions. The PowerPoint presentation already provided to the Board contains the summary statistics for both the needs analysis and for the results of the second town-wide mailing. A seventeenth sub-area (E-10) was added for the proposed affordable housing project at the DPW Garage site. In addition, the town-wide mailings have shown that there is considerable interest in additional connections to the downtown collection system, and M&E has included this information in their analysis.

Following the presentation, Rob Adams and the Wastewater Team provided the following clarifications in response to Board questions and comments. The discussion and responses are organized by the categories in the Board Motion:

Prepare preliminary engineering and cost analyses for September 11th Meeting

- In response to questions, Rob Adams indicated that W-1 is the only area that is economically feasible by itself, due to (i) its proximity to the treatment plant and the fact that the force main has already been installed as far as the Grand Union in conjunction with the Laundromat Extension, (ii) the potential to serve affordable housing projects with an estimated 20,000 GPD of Title 5 design flow, and (iii) the potential to shift as much as 27,000 GPD of Phase 1 flow to the W-1 sewer extension, thereby freeing up valuable capacity on the vacuum system for Town priorities – including year round economic development – as well as for properties that are interested in connecting to the sewer. A number of areas in the East End also have similar needs and interests as Area W-1, but they are more expensive to serve with the available Phase 2 capacity, primarily because of their greater distance to the treatment plant. Assuming that the Town goes forward with the next step – maximizing the plant to an estimated 750,000 GPD build-out capacity – then, the Board suggested that these areas in the East End would be the area to focus on next to use any additional plant capacity.
- M&E will provide more detailed information at the September 11th Meeting, as requested by the Board, on the following: (i) the analysis of how the estimated betterment for Area W-1 (at an affordable rate of \$45 per GPD) will fully cover the estimated costs for serving Area W-1, (ii) an analysis for the other sub-areas to show why it is not economically feasible to serve them by themselves in Phase 2 based upon the assumptions used in the "needs analysis", what the costs and betterment would need to be to serve them in Phase 2, and how they might be served more easily and less expensively in the future once the sewer extension for area W-1 is constructed, and (iii) the analysis of the potential west end and east end diversions from the Phase 1 collection system, including the amount of capacity that could be freed up, and the estimated costs for these two additional sub-area options.

- Using the available capacity figure of 110,000 GPD for Area W-1 (which assumes that 15,000 GPD will be used for affordable housing at the DPW Garage site, Area E-10, in addition to the already committed or used 30,000 GPD for the Laundromat Extension and the Manor Connection), the Wastewater Team explained that this figure can be allocated in a number of ways to meet both Town priorities and cost considerations. Nearly 78,000 GPD is already accounted for by ACOs and properties that have expressed an interest in connecting. The remaining 32,000 will come from a combination of (i) other properties in Area W-1 who are expected to express an interest once they know that this is their one (and possibly only) opportunity to connect and (ii) shifting up to 27,000 GPD for properties currently served by the Phase 1 vacuum collection system that could be served by gravity flow to the new Shank Painter (Area W-1) sewer extension.
- In response to a question, the Town Manager indicated that the purpose of considering hiring Mark Abrahams as a consultant would be to provide a level of review for the projected cash flow for the proposed Phase 2 sewer extensions that we should have had five years ago for the Phase 1 analysis.

Contact with property owners in area W-1 to solicit additional interest

- At the follow-up meeting held on August 15th, the Wastewater Team decided to invite all property owners in the W-1 area to a Neighborhood Meeting to be held on Wednesday September 5th, at 5 PM, at a location to be determined in the neighborhood. A notice of the meeting will be mailed out to all property owners in the area, together with a “response card” that they can mail back indicating their further interest if they are not able to attend. Rob Adams of M&E and members of the Wastewater Team will be present to describe the proposed sewer extension project, to answer questions, and to solicit additional interest in connecting to the sewer.
- In addition, a targeted letter mailing will be sent out to approximately 100 property owners who have either not responded to earlier mailings or have said they are not interested in a connection – the targeted list will include only those property owners that M&E has determined are likely to have difficulty complying with Title 5 on site in the future when their present system fails, either because they currently have a cesspool, are in a low-lying area, have a small lot, or in particular, have all of the above. The letter will explain what the database says about their property, the possibility that they may have difficulty complying with Title 5 in the future, and their option of connecting to the sewer now so as to avoid the potential difficulty in the future.
- As discussed in the following sections, the Wastewater Team and the Town Manager will also be undertaking targeted discussions with property owners and others to make them aware of the potential for a sewer connection in the Shank Painter corridor that could enhance the potential for higher density uses for either affordable housing or additional year round economic development in that area.

Incorporate all available affordable housing information

- The Board would like to learn more about the likelihood that an affordable housing project located at the DPW Garage site can move forward in time to be able to use the available Phase 2 capacity at the plant, given the goal of maximizing revenue as soon as possible from the available capacity at the plant. The Town Manager indicated that (i) contacts are being made with the National Park Service to ascertain the interest and timing for a joint maintenance facility on Race Point Road to provide for many of the Town’s needs now served by the DPW Garage facility, (ii) the earlier estimated cost of \$1 million to relocate the DPW facility is inexpensive when compared with the costs of acquiring over 5 acres of land for housing elsewhere in town, (iii) the Town’s housing consultant is reviewing this site for potential housing opportunities, including funding possibilities, and (iv) there are funding mechanisms available that would cover infrastructure costs, such as the full betterment costs for any affordable housing project on that site. If the Town sets aside 35,000 GPD for affordable housing projects, the housing projects will be able to pick up their share of the betterment.
- As discussed in the Wastewater Team’s follow-up meeting on August 15th, the ability to have a sewer connection allows for the higher density for an affordable housing project that can make the economics work. At the present time, the best combination of potential housing project locations and potential cost-effective sewer extensions appears to be areas W-1 and E-10. Other potential housing sites are either further off in the future, or are located in areas that are not cost-effective to serve at this point in time, as discussed above.
- The Town Manager will contact Provincetown housing advocates – including Ted Malone - and property owners in the Shank Painter corridor who have potential affordable housing sites to make them aware of the higher density opportunities that may be available through the combination of a sewer connection and the various housing density and “village concept” incentive programs. These contacts with property owners in the Shank Painter corridor will be supplemented by the on-going efforts of the Wastewater Team to contact property owners in Area W-1, including those property owners who may be interested in providing affordably housing on their site.
- In addition, the Town Manager will talk to the Seashore representatives to emphasize the importance of the DPW Garage site to help meet the Town’s affordable housing emergency, as well as the interest in moving forward with the previously discussed alternative fuels initiative. These discussions can build upon the excellent working relationships that already exist at the staff level between the DPW and the Seashore personnel. The goal will be to provide the Selectmen at the September 11th Meeting with a more detailed report on the potential for affordable housing in both Areas W-1 and E-10, including the most likely timeframe for these housing projects.

Incorporate all available year-round economic development information

- The Board would like to identify who may be interested in Growth Management Category 5 gallons from the Surplus Gallonage Pool if additional capacity is made available on the downtown vacuum system as a result of shifting some properties from the Phase 1 system to the Area W-1 sewer extension. In addition, the Board would like to move forward with the plan to amend the Growth Management By-law at the Fall Town Meeting to provide for an initial “deposit” to the Surplus Gallonage Pool so that properties are able to request and withdraw gallons if and when capacity is available on the sewer system, or if and when requests occur in other parts of town. The Board has scheduled a discussion of this issue for their next regular meeting on August 28th.

- Although the proposed shifting of some properties from the Phase 1 collection system to the Area W-1 sewer extension would only free up some capacity in the West End portion of the downtown vacuum system, there are a number of potential ways in which capacity can be made available for year round economic development in the East End, as discussed at the Wastewater Team’s August 15th follow-up meeting: (i) the on-going August peak month water meter reading study may show that there is a small amount of unused capacity in the East End, (ii) once more red-dot delay properties in the East End are connected, their actual flows may not be as great as their Title 5 design flows – based upon historical trends for properties already connected to the sewer – which would free up some additional capacity, (iii) M&E will be reviewing the peak period flows for 2006 to determine if any additional flows can be added in the East End, and finally (iv) once the Town moves forward with the next step – the expansion of the plant to its build-out capacity and the construction of additional sewer extensions to serve the East End and other areas - then the flows for some of the properties currently connected to the vacuum system in the East End can be shifted to new sewer extensions, thereby freeing up capacity in the East End vacuum collection system. Metcalf & Eddy and the DPW will provide the Board with additional information on these issues at the September 11th Meeting.

- The Town Manager will be meeting with the Economic Development Council the week of August 21st in preparation for the Board’s August 28th Meeting, and will discuss the potential that increased sewer system capacity and sewer extensions can have for promoting additional year-round economic development, not only along the existing Phase 1 vacuum collection system, but also along the Shank Painter corridor (Area W-1), as well as in conjunction with the proposed affordable housing projects in both Areas W-1 and E-10, as mixed use developments which use “smart growth” or other incentive tools.

Submission of SRF-PEF application by August 31st

- The Board recognizes that M&E needs to prepare the SRF Preliminary Evaluation Form for submittal to the DEP by August 31st in order for the Town to qualify for the 2% loan funds for the proposed Phase 2 sewer extensions. In response to questions, the Wastewater Team provided the following clarifications: (i) since the submittal requires only preliminary information, it may be possible to make some modifications later on, but it is necessary to indicate the specific sewer extensions that funds are requested for, namely Areas W-1 and E-10, (ii) preliminary cost estimates are \$5,500,000 for W-1 and \$500,000 for E-10, and it is possible that if E-10 cannot go forward, then the funds for this area would not be spent, and (iii) M&E will attempt to obtain as much flexibility for how the funds can be spent as possible, so as to allow the Town the ability to make its final decision on area E-10 when all of the information is known about the feasibility of moving forward with housing on the DPW Garage site.

- The Wastewater Team will be meeting with Brian Dudley of the DEP on August 31st to (i) brief him on the SRF-PEF submittal and to understand the permitting requirements and timeframe for Phase 2, (ii) review the results of the on-going optimization and capacity maximization programs, including the water use and sewer flows, and the mass loading studies, and (iii) review the proposed areas to be served by Phase 2 sewer extensions. The Wastewater Team will report on the results of this meeting with the DEP at the September 11th Meeting.

Preparation for the September 25th Public Hearing and Other Comments

- In addition to the need to present at the Public Hearing clear information on how the Town is maximizing its investment in the future so as to reduce the costs to the users, the Board suggested that we show the names of the streets at the boundaries of the sub-areas – particularly Area W-1 – so that residents are clear on exactly what area will

be served by the proposed sewer extension.

- The Board asked that a statement on page 3 of the Report included in the Packet for the August 14th Meeting should be clarified to indicate that the “Wastewater Team”, and not the “Town”, has always expected that there would be unused capacity in the system. The Board was not aware that there was unused capacity until the facilitated meetings for Phase 2 began in July 2005.

Future Sewer System Optimization and Expansion Meetings.

- September 11th – M&E and Wastewater Team presentation of engineering plans and preliminary cost estimates for the proposed optimization and expansion areas to the Board – 4:30 to 6 PM.
- September 25th – Public Hearing from 4 to 5:30 PM, followed by Board discussion of the sewer system Warrant Article for the Fall Town Meeting.

MOTION: Move that the Board of Selectmen vote to approve the selection of areas W-1 (the Shank Painter Basin) and E-10 (the proposed DPW Garage affordable housing site) for further study for proposed Phase 2 Sewer Extensions, and to direct the Staff and Metcalf & Eddy to proceed with the next stage of the Facilities Planning for these two areas, to include: (i) preliminary engineering and cost analyses for these two areas in preparation for a presentation to the Selectmen on Monday, September 11, 2006, (ii) submission of the formal SRF application by August 31, 2006 to qualify for 2% interest rate funding from the State, (iii) contact with property owners in area W-1 to explain the proposed project and to solicit additional interest in connecting to the sewer, (iv) incorporating all available information on potential affordable housing projects for these two areas into the planning and engineering analyses, and (v) preparation for a Public Hearing to be held from 4:00 to 5:30 p.m. on Monday, September 25, 2006.

Motion by: Michele Couture Seconded by: David Nicolau Yea 4 Nay 0

Motion to adjourn by Michele Couture at 5:54 pm.

Minutes transcribed by: Vernon G. Porter and John Goodrich
August 14, 2006