

COMPREHENSIVE WASTEWATER MANAGEMENT  
**CITIZENS ADVISORY COMMITTEE (CAC)**

November 17, 2005  
Town Hall Meeting Room  
Main Street, Chatham, Massachusetts - 4:00 pm

**PRESENT:**

CAC: Fred Jensen, Herb Bernard, David MacAdam, Phil Christophe, John Payson, Didi Lovett,  
and John Randall

CAC members not present: Chuck Pollard, Burt Segall, Scott Tappan, and Bob DePatie,

TAG: Bill Redfield, Judy Giorgio

Others Present: Chuck Bartlett, Jean Young

The meeting was called to order at 4:00 pm.

**Item 1: Minutes**

Minutes of the October 20 meeting were approved without corrections.

**Item 2: Discussion of the proposed ordinance to establish the Cape Cod Wastewater Collaborative**

A draft of the proposed ordinance was provided in the meeting packet.

Phil Christophe stated that the goals of the ordinance are supportable:

- To attract funding
- To maximize regional cooperation in managing wastewater
- To coordinate the development of infrastructure that is cost-effective, technologically efficient and environmentally appropriate
- To educate the public concerning wastewater management

Fred Jensen noted that Chatham's involvement is a two-step process: (1) to recommend or oppose adoption of the ordinance at the December 7 Assembly of Delegates meeting; (2) to decide whether the town will join the Collaborative, if it is created.

The responsibilities and functions of the proposed collaborative were read from pages 4 and 5 of the proposed ordinance:

- a. make grants or loans, or provide other forms of financial aid, to complement the funding resources of Towns dedicated to wastewater management;
- b. apply for, accept, administer, expend and comply with conditions and obligations of any grant, gift or loan from regional, state or Federal government agencies or from private, corporate or public-private partnership organizations;
- c. seek legislation to access dedicated State Revolving Fund (SRF) resources for infrastructure development and services;
- d. arrange public-private funding partnerships for wastewater management;

- e. enter into inter-municipal agreements with one or more Towns or other jurisdictions as necessary, in accordance with the Charter;
- f. assist each Town in preparing and adopting its Comprehensive Wastewater Management Plan within 3 years of receipt of Total Maximum daily Load (TMDL) date from the DEP;
- g. in coordination with one or more Towns, plan and implement wastewater treatment and septage/sewage disposal systems;
- h. develop and adopt planning consistent with the goals of the Regional Wastewater Management Plan;
- i. contract for and provide wastewater treatment services and sewage or septage disposal services to any persons, private-public corporation, or Town;
- j. make and enter into contracts that serve the purposes and interests of the Collaborative;
- k. produce and distribute informational materials in various formats, including PEG Access television programming, a Collaborative web site, and the sponsoring of educational workshops and conferences;
- l. consistent with the Charter and Massachusetts General Laws, conduct any functions as may be necessary for, or incident to, carrying out the goals of the Collaborative.

It was noted that an earlier version of the proposed ordinance contained language which would have allowed the collaborative to tax and bond.

John Payson stated that the Blue Ribbon Panel (which included Tom Bernardo, Ron Bergstrom and Bob Duncanson) has made favorable recommendations regarding the creation of the collaborative and indicated that there will be no additional cost as county personnel will be realigned in creating the collaborative.

David MacAdam stated that he was generally supportive of the concept of the collaborative but had concerns about some of the wording in the document. He specifically questioned the use of the phrase “to provide cost-effective and environmentally sound wastewater *infrastructure*” as being a town function. It was suggested that the term “coordinated” could be substituted for “provide.”

Regarding Article 5, David MacAdam suggested that the membership of the steering committee should be described in more detail as it is unclear who would be on that committee. Also, there is no clear explanation of how the technical staff would interact/relate to the technical advisory committee.

Regarding Article 6, David MacAdam noted that the three-year time limit for completing Comprehensive Wastewater Plans implies a *control* function on the part of the collaborative.

John Randall expressed concern about the number of players already involved in wastewater issues and did not see the need to create more jobs and expense at the County level.

John Payson stated that the Blue Ribbon Committee has studied these issues and believes that the collaborative will be in a better position to lobby regionally for funding. He added that the draft ordinance has been reviewed at a number of public hearings and that many of the comments being made should have been made earlier in the process.

Bill Redfield spoke about the review process which started six months ago and expressed his concerns regarding the collaborative:

Administrative funds will be drawn from grants and SRF loans so there will be less funding available and more competition for those funds. If the collaborative is unsuccessful at obtaining grant funding, county assessments could result in the future.

The collaborative will be coordinating all county programs and will become another stop in the approval process for local governments.

The collaborative will likely try to coordinate/contract for work being done on the private IA systems, but a free-enterprise approach could result in healthy competition among engineers and technicians, thereby keeping costs lower.

If the County budget increases, the cost to the towns increases.

Herb Bernard agreed, stating that Chatham does not need more overhead. He expressed his opinion that there is not sufficient gain from the collaborative to support its creation.

Fred Jensen commented that David MacAdam's comments regarding the wording of the proposed ordinance are appropriate. He also noted that much of the work proposed for the collaborative is already being accomplished through other channels.

Bill Redfield reminded the committee that the first step is to make a recommendation to the Board of Selectmen for the Assembly of Delegates meeting; the second step is to decide if Chatham wants to belong to the collaborative if it is created.

Fred Jensen noted that all towns will still be paying to the county, so it may be best to oppose the creation of the collaborative.

Fred Jensen made the following motion:

That the CAC recommend to the Chatham Board of Selectmen that they oppose the creation of the County Wastewater Collaborative by the County Assembly of Delegates at their meeting on December 7, 2005 and that the chairman of the CAC inform the Board of Selectmen in writing of this recommendation and the reasons therefore.

In discussion of the motion, Fred Jensen stated that he would prepare a letter to the Board of Selectmen; John Payson asked that the text of that letter be reviewed by the CAC prior to its submission to the Board of Selectmen. It was agreed that this procedure would be followed.

The motion passed by a vote of 5 to 2.

**Item 3: Discussion of possible ways to allocate a portion of cost of wastewater treatment facilities and services to individual properties, both sewer and on-site systems, based on property wastewater generation.**

Phil Christophe had prepared a two-page summary of ideas entitled "Financing Wastewater Management." There was discussion which included the following items:

It may be more equitable to assess costs based on water usage rather than property value, frontage, etc.

- Special legislation will be needed to enable additional water usage charges.
- Bill Redfield noted that a quick calculation indicated that the proposed \$.01/gallon would result in an exorbitant water rate and suggested that a smaller figure be used.
- If rates are increased, the town may need/want to re-examine its minimum use rates and the steps included in calculating water bills.
- Water rates are calculated using different formulas based on pipe size
- Water rates are calculated using different formulas for summer and winter seasons
- A wastewater district could be created on a town-wide basis
- Revenues would need to be held in separate accounts

Herb Bernard noted that there are 43 miles of private roads in Chatham. Sewering along these roads could be done privately using private contractors without the need to pay prevailing wages required of town-sponsored construction projects. This could result in some savings in certain areas of town.

Bill Redfield agreed that compliance with Federal and State minimum wage requirements (Davis Bacon Act) can add 25% to 30% to the cost of construction projects.

There was also discussion about whether landowners can be required to connect to the sewer.

It was generally agreed that raising funds through water-use-related charges is an idea to be pursued. Fred Jensen asked Phil Christophe to develop a list of questions that can be asked of the TAG. It was also noted that this need not be the only source of funding for the project, but should be viewed as one part of the total funding mechanism.

#### **Item 4: Other Business**

John Payson informed the committee that at a recent WIC meeting DEP proposed new figures for nitrogen reduction: from 5.86 lbs to 4.62 lbs. This is a 21% reduction and could have a profound effect on project results. We will need to see how this impacts on new model runs.

Referring to a recent memorandum from Bob Duncanson, John Payson asked about the costs/equity of a recent requirement for 27 properties to connect with the sewer. Bill Redfield responded that many of these property owners had signed covenants earlier agreeing to connect to the so this is not an unexpected requirement.

#### **Item 5: Proposed next meeting date:**

The next meeting will be held on Thursday, December 15, 2005 at 4:00 p.m. in the Selectmen's Meeting Room.

The meeting was adjourned at 5:45 p.m.

Recorder: Marie Williams