

MINUTES
OF THE CAPE COD WATER PROTECTION COLLABORATIVE
STEERING COMMITTEE
10-4-12

A meeting of the Cape Cod Water Protection Collaborative Steering Committee was held in the Selectmen's Conference Room at the Barnstable Town Hall on Thursday, October 4, 2012.

Chairman Ballantine called the meeting to order at 9:30 a.m.

Members Present:

Larry Ballantine	Town of Harwich
Jane Crowley	Town of Eastham
Linell Grundman	Town of Sandwich

Members Absent:

Gussie McKusick	County Commissioner appointee
Sheila R. Lyons	County Commissioner

Staff:

Andrew Gottlieb	Executive Director
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Others present:

David McChesney	Provincetown Board Member
Bob Ciolek	
John Payson	

I. Approval of the previous meeting minutes

No action was taken. Previous meeting minutes were not provided to the Board.

II. Member Reports

Town of Harwich: Larry Ballantine reported that the town received its MEP report approximately 4-6 weeks ago on Herring River. The town was shocked by the percentage of nitrogen removal. Originally expecting it to be 25% the results of the report had the town up the percentage to 50%. That would mean with the new information provided the town is now estimating the total cost to be over \$200 million from \$120-140 million. The town's discussion at the moment is to get a better handle on phasing. They are looking at two sides of the town in East Harwich and Herring River. The town expects to start building the bridge in the Fall of 2014. The draft Comprehensive Wastewater Management Plan (CWMP) will be submitted in November.

Town of Provincetown: David McChesney reported that the sewer plant expansion was on schedule. Commercial Street is currently under construction for new water lines and starting main construction on October 31st. Expected to be completed by May 2013.

Town of Sandwich: Linell Grundman provided an update on the Water Quality Advisory Committee. The Committee will have its first look at the draft CWMP on Tuesday, October 9th.

Town of Eastham: Jane Crowley reported on Bob Ciolek's assistance with the financial planning related to water development and water supply system that had failed. The town is still waiting on public hearings on the draft MEP report for Nauset Estuaries. They are still focused on a Pond Restoration project for Herring Pond. A public notice has been sent out and pre-construction meetings have been done. They are also trying to develop a phosphorus management plan and are continuing to look at other best practices management for pollution.

III. Executive Director Report

Andrew Gottlieb provided the following report to the Board:

1. He attended the Environmental Summit to observe and did not participate. The Committee is working on coming up with a revised wastewater policy statement. The Committee would like to meet again in a few weeks to review the draft. Larry Ballantine asked who the policy revision is towards. Andrew replied that it is a broad policy statement that has multiple audiences.
2. He reported that the Chamber of Commerce has made a commitment to engage in the wastewater discussion and has brought former Senator Rob O'Leary on to spearhead their behalf.
3. He spent time with the Town of Falmouth staff to work with them on their pursuit of 0% financing. He is helping staff determine if it's worth pursuing through political battles. The Town of Chatham has received 0% financing and two other non-cape communities have filed applications.

IV. Litigation Update

Andrew Gottlieb reported that both sides of the lawsuit are very busy sending in competing briefs. There has been no feedback from Court and he has no sense of how Courts will respond to the briefs. Bourne and Sandwich Water Districts have filed petitions to intervene and have not been acted on by the Court.

V. County Review Financing Options

Andrew Gottlieb introduced Bob Ciolek who would be giving an update on Financing Options. He said that the update was in context of the series of issues and discussions on the regional review.

Bob Ciolek distributed a handout on the "Funding Options for Wastewater Capital Programs for the Cape Cod Water Protection Collaborative". He stated one of the things

he has been doing for the past couple of years is to get a better handle on what the total capital cost will be for the 15 communities on Cape Cod in terms of what the communities believe need to be built for their wastewater system. He stated that he would be speaking only for himself and anything in the handout or that is said is his responsibility and not the Cape Cod Commission's. He would be focusing on just a couple of the pages in his presentation that have been updated.

Mr. Ciolek went over four (4) basic funding options for the towns:

- Funding from existing Town funding sources for capital and/or operating expenses
- Funding from betterment assessments for capital expenses
- Funding from a Proposition 2½ override or debt exclusion vote for capital expenses
- Funding from a system of rates and charges for operating and/or capital expenses

VI. Other Business

John Payson passed out the top part of the programming map distributed at the March 14th meeting which was to evaluate the wastewater management plans. He asked members to look at the blue copy that showed actual water use parcel levels going down to assumed water use. He believes this means generally applied use is being used instead of actual water use for computing nitrogen levels. He said there is currently a very serious discussion going on with MEP about the validity of the septic measurement loading levels that appears grossly exaggerating the actual septic nitrogen load because of faulty assumption. He said the Collaborative has got to consider this information when making their recommendation. Andrew Gottlieb responded that this information is part of the detailed work that the Cape Cod Commission is doing. Mr. Payson asked if a decision or recommendation can be made without considering it. Mr. Gottlieb replied that it was a technical discussion to have with Patty Daley and Tom Cambareri from the Cape Cod Commission. Larry Ballantine commented that they would follow up with the Commission.

Meeting adjourned at 11:03 a.m.