

**MINUTES  
SELECTMEN'S MEETING  
GRIFFIN ROOM, TOWN HALL  
MONDAY, FEBRUARY 27, 2017  
5:45 P.M.**

**APPROVED**

**SELECTMEN PRESENT:** Brown, Hughes, Kavanagh, LaMantia, MacAskill

**OTHERS PRESENT:** Town Administrator Christopher Clark, Assistant Town Administrator Charleen Greenhalgh, and others.

**INTERVIEW FOR FINANCE DIRECTOR POSITION**

A. Carol Coppola

The Board interviewed Carol Coppola, candidate for Finance Director, after which Mr. Hughes moved to move forward with negotiations. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

**WEEKLY BRIEFING**

Ms. Goodwin reported that due to the installation of new cable equipment, there will be no "Community Journal" broadcast for the next two weeks but all public meetings will air as scheduled.

**CONSENT AGENDA**

- A. Approve minutes – February 6, 2017 Regular Session
- B. Authorize Chairman to sign Certificate of Recognition to be presented to Afghanistan and Iraq War Veterans at Cranberry Valley Golf Course event
- C. Approve 2017 Long Pond Bass Tournaments
- D. Re-vote proposed Marijuana Temporary Moratorium By-Law language and resend to Planning Board
- E. Approve request for assistance from the Caleb Chase Fund
- F. Accept resignation of Claudia Williams from the Housing Committee effective immediately

Ms. Kavanagh moved approval of the Consent Agenda. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

**PUBLIC HEARINGS/PRESENTATIONS** *(Not earlier than 6:30 P.M.)*

- A. Update on proposed changes to Monomoy Regional School District agreement – *Supt. Carpenter and School Committee Chair Brian Widegren*

Mr. Widegren explained that the Regional Agreement provides for a review every 5 years which the School Committee has been working on through workshops and meetings with the Chatham Board of Selectmen. He reported that the changes include items that are no longer relevant due to the fact that they were interim items. He noted that there are substantive changes being discussed as well including a provision to allow the School Committee to determine if there might be circumstances in which a

child from one town would go to elementary school in another town, such as East Harwich going to Chatham, for reasons such as distance, bus routes and enrollment per class. Mr. Widegren discussed further considerations for changes including School Committee quorum requirements being relative to members currently serving rather than total membership, and he noted that he has a question into the Attorney General's office on this. He said they are also discussing the procedure by which the towns replace a committee member when a member leaves as well as the manner in which each town should contribute to capital improvements. Mr. Widegren further described some general housekeeping changes to the document such as amending the months that they seek contributions from the towns and Supt. Carpenter said the agreement should reflect the practices that are taking place. Mr. Hughes asked when they expect to have this ready to be approved and Mr. Widegren responded that they are just waiting for the opinion from the Attorney General's office. Ms. Kavanagh encouraged getting feedback from families on the suggestion of having children from one town go to school in another town for elementary school, and Ms. Brown suggested having one Harwich to Chatham bus that could pick up from all parts of town not just East Harwich. With regard to debt, Mr. LaMantia, suggested extending borrowing periods. Mr. Clark noted the agreement continues on for a longer period and that this is just a look back opportunity to see if any adjustments need to be made. In response to discussions about having children from East Harwich attend Chatham Elementary School, Supt. Carpenter clarified that they would like to start discussions with incoming kindergarten families residing in areas that abut Chatham about going to Chatham Elementary so to begin to create balance and at this point it's a hypothetical concept. Mr. Clark asked them to outline the next steps once the final document is created. Supt. Carpenter explained that clearly they would bring it to the Board of Selectmen and they would also have to bring it to the State Department of Education who would have to sign off on it, followed by going to Town Meeting in both towns for approval.

## **OLD BUSINESS**

### **A. Wastewater Issues –**

1. Chatham/Harwich Inter-Municipal Wastewater Agreement
2. Proposed Phase 2 Wastewater Program Engineering Agreement
3. Wastewater Educational Brochure
4. Sewer Regulation
5. Wastewater Governance
6. Town Meeting Article

With regard to Item #1, Mr. Clark provided the attached Power Point presentation. Mr. Hughes provided a brief history as well as information from recent negotiation discussions. Ms. Brown had questions about how this would affect the eco-systems of Pleasant Bay which Mr. Clark responded that if we clean up our part and the other towns don't we are still going to have some issues in Pleasant Bay and he commented that sewerage is a proven technology. Mr. Young took questions from Ms. Brown on the sewerage process. The consensus of the Board was to move forward with the IMA. Chairman MacAskill directed Mr. Clark to schedule a public hearing.

With regard to Item #2, Mr. Young outlined the changes to the agreement and took questions from the Board. Ms. Kavanagh moved to approve the proposed Phase 2 Wastewater Program Engineering Agreement with CDM Smith for \$1,994,000. Mr. LaMantia seconded the motion and the motion carried by a unanimous vote.

With regard to Item #3, Mr. Young said he has 1,000 copies of the brochure for availability to the public and it is posted on the website. He added that he has copies of the 4 page document available as well which he distributed to the Board. He noted that it is more geared to the Town Meeting article.

With regard to Item #4, Chairman MacAskill noted that we did have a hearing on the sewer regulations on March 7, 2016. He noted that the draft by-law is a one page document and the regulations are 54 pages. He pointed out that they never voted it. Mr. Clark recommended holding a public hearing on this on the same night as the IMA. He recommended inviting Mr. Young and Mr. Pelletier.

With regard to Item #5, Chairman MacAskill outlined the document which Mr. Clark noted the Board had voted on March 7, 2016. There was discussion as to where the records would be kept. Ms. Brown stated that it would be wise to keep everything at the Water Department and Ms. Kavanagh agreed. Mr. Clark said he would have brochures available as well.

With regard to Item #6, there was discussion as to whether we go to Town Meeting with the \$34,000,000 all in one article along with the IMA or do we break it down into a menu. Mr. Clark and the Board took questions and comments from Noreen Donahue. After lengthy discussion it was agreed to construct five articles, one for the entire project, one for the design and IMA, one for the construction and tie-in, one for Hinckley's Pond and one for Cold Brook. Mr. Clark said he would contact Mr. Giorgio to put these together.

There was no action on the 4 page brochure.

#### B. Action Item Register

There was no discussion on this item.

### **NEW BUSINESS**

#### A. Annual Town Meeting Warrant Article Review

Mr. Clark gave a brief overview of the articles. No action was taken.

#### B. Draft Accessory Apartment Dwelling Unit By-Law

Mr. Clark asked to hold on this item and Chairman MacAskill said they would bring it back next week.

### **TOWN ADMINISTRATOR'S REPORT**

#### A. Letter to MassDOT regarding Route 28 Project Initiation Form – Dennis and Harwich

Mr. Clark informed the Board that we submitted the project initiation form for improvements from the Herring River to the Division Street line.

#### B. Notice of Zoning Violation for 1 Auston Road

Mr. Clark reported that the Building Department submitted a notice of zoning violation for using the site as a staging area for the gas work. He said he believes the owner is going to submit the necessary paperwork to come into compliance.

C. Letter from Habitat for Humanity regarding 93-97 Route 28 project

Mr. Clark reported that we received a letter from Habitat regarding the status of the 93-97 Route 28 project.

D. Letter from Mass DEP regarding Massachusetts Estuaries Project

Mr. Clark outlined the letter which he said discusses what can happen if we don't do anything about wastewater. Mr. Young stressed that they should not minimize this and that the DEP can revise Title 5 to require a homeowner in a nitrogen sensitive watershed to put in a nitrogen removal system on their property in order to reduce nitrogen for which the cost is 3 to 4 times greater than the recommended program.

E. Letter regarding JayZ Drive installation of gate

Mr. Clark reported that someone installed a gate at Jay Z Drive which is not in conformance with subdivision rules and regulations. He said we are engaged in enforcement and will report back.

**ADJOURNMENT**

Chairman MacAskill adjourned at 9:30 p.m.

Respectfully submitted,

Ann Steidel  
Recording Secretary

# Town of Harwich

## Phase 2 - CWMP

### Phase 2 Comprehensive Wastewater Management Program

|  |                      |
|--|----------------------|
| <b>*Wastewater Phase 2 Total</b>   | <b>\$ 34,015,000</b> |
| <b>*Breakdown of Costs</b>   |                      |
| Chatham IMA  | \$ 6,765,000         |
| Chatham Treatment Plant Tie-In Costs   | \$ 2,400,000         |
| Cold Brook   | \$ 2,000,000         |
| (Design \$200,000 Construction \$1,800,000)  |                      |
| Pleasant Bay South Collection  | \$ 22,300,000        |
| (CDM Design \$1,994,000, Services During Construction \$561,000 Resident Inspection, Construction \$17,680,000 and Police Details/Allowance \$385,000) |                      |
| Restoration of Hinckley's Pond   | \$ 550,000           |
| <b>TOTAL</b>   | <b>\$ 34,015,000</b> |

# Chatham – Harwich Intermunicipal Agreement for Wastewater Collection and Treatment



Presentation to joint meeting of  
Chatham and Harwich Boards of Selectmen  
February 16, 2017

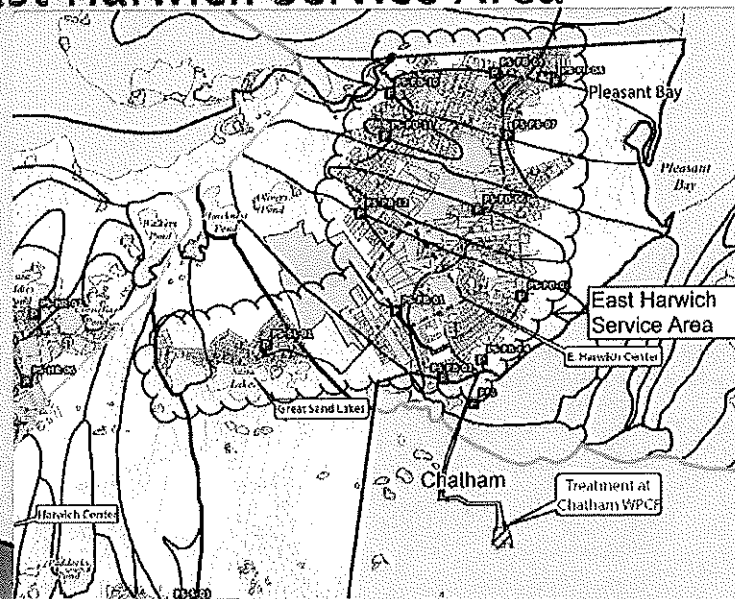
## Why an Intermunicipal Agreement?

- ❖ Chatham offsets some Capital costs incurred in WPCF construction.
- ❖ Chatham offsets some O&M costs.
- ❖ Harwich avoids siting/construction of stand alone East Harwich Facility.
- ❖ Harwich minimizes Capital and Operation & Maintenance (O&M) costs.
- ❖ Enhanced protection to Chatham and Harwich Zone II's.
- ❖ Reduced Nutrient loading to shared waterbody, Pleasant Bay.

## East Harwich Service Area

- ❖ Harwich flow is limited to:
  - Upper Muddy Creek sub-watershed
  - Lower Muddy Creek sub-watershed
  - Pleasant Bay sub-watershed
  - Round Cove sub-watershed
  - Great Sand Lakes Area (Chatham approval required)
- Average annual combined flow not to exceed 300,000 gpd

## East Harwich Service Area









## Capacity Purchase Fee

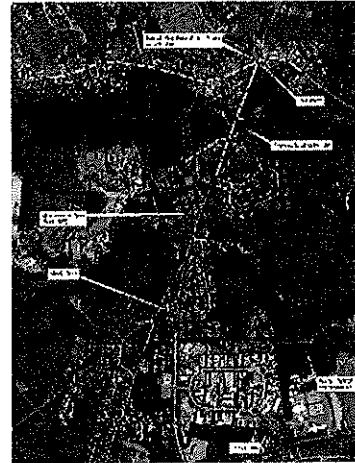
- ❖ Chatham WPCF Phase I Design Capacity – 1,300,000 gpd (average annual).
- ❖ East Harwich Service Area Projected Flow – 300,000 gpd (average annual).
- ❖ Harwich purchase equals 23.08% of current WPCF design capacity.
- ❖ Capacity Purchase Fee – determined as 23.08% of:
  - WPCF Project (Capital) Cost – net of grants.
  - Interest Costs – Year 2021–2045.

## Capacity Purchase Fee

- ❖ Capacity Purchase Fee – calculated at \$6,765,000
  - ❖ Payments:
    - Initial.... \$1.5M upon execution of Agreement.
    - 2<sup>nd</sup>..... \$1.5M upon commencement of flow.
    - 3<sup>rd</sup>..... \$1.5M upon flow over 50,000 gpd or five (5) years\*.
    - 4<sup>th</sup>..... \$1.5M upon flow over 150,000 gpd or seven (7) years\*.
    - Final.... \$765,000 upon flow over 250,000 or ten (10) years\*.
- (\*whichever occurs sooner)

## Collection System

- Harwich responsible for all work related to Connection Point, collection system within Harwich, and any future expansion or additions of the Connection Point needed to convey flow from Harwich.
- Harwich responsible for proportional share of costs necessary to convey wastewater from the Connection point to the WPCF.
- Harwich share based on ratio of Harwich design flow to Chatham design flow for that segment of collection system.



## Operations & Maintenance Expenses (O&M)

Two types – Fixed and Flow Variable

### WPCF

- ❖ Fixed O&M – 23.08% of fixed costs (Contract Services, plant maintenance, 20% of DPW Director salary, SCADA contracts, etc.).
  - Begins at time of Harwich connection.
- ❖ Flow Variable O&M – determined as % of flow from E. Harwich Service Area to Total Flow at WPCF (chemicals, electricity, natural gas, diesel, sludge removal/disposal, testing, etc.).
  - Begins once flow is measured at connection point.

## Operations & Maintenance Expenses (O&M)

### Collection System

- ❖ Fixed O&M – determined as % of Harwich design flow to Chatham design flow for conveyance system from Connection Point to WPCF.
  - Begins at time of Harwich connection.
- ❖ Flow Variable O&M – actual % of flow from E. Harwich Service Area to total flow measured at pump station 6 (chemicals, electricity, natural gas, diesel, testing, etc.).
  - Begins once flow is measured at connection point.

## Term

- ❖ 25 years
  - Remains in full-force on Expiration Date unless modified or notice provided to not renew.
  - Non-renewal notice five (5) prior to Expiration date.
  - Upon extension beyond 25 years:
    - Harwich not responsible for additional Capacity Purchase Fee.
    - Harwich remains responsible for share of O&M and projects.

## Termination

- ❖ Only on or after tenth (10) anniversary of Agreement.
- ❖ Five (5) years notice required.
- ❖ Harwich responsible for paying all amounts due (O&M, etc.).
- ❖ If Chatham terminates Agreement, Chatham shall pay Harwich unamortized portion of Capacity Purchase fee remaining on termination date.

## Flow Management Plan

- ❖ When Harwich flows at the connection point exceeds 80 % of purchased capacity for a 3 month period, Harwich shall present to Chatham a plan to:
  - Define measures to limit flow connections.
  - Define measure to reduce existing flows.
  - Discuss potential expansion options at Chatham WPCF.
  - Take any other appropriate action to enforce capacity allocation.

## Miscellaneous

### ❖ Effluent Recharge

- Initially at Chatham.
- Upon reaching 80% of permitted capacity Chatham shall notify Harwich.
- Harwich, at sole cost and expense, shall construct, maintain, and repair necessary infrastructure to redirect treated effluent to Harwich for recharge within 3 years of said notice.

### ❖ Septage

- Accepted from properties in East Harwich Service Area upon abandonment of septic system/connection to sewer.

### ❖ Flow Buy Back

- Flow not used by Harwich can be bought back by Chatham.

## Miscellaneous – cont.

### ❖ Regulations

- Harwich will adopt sewer use regulations no less stringent and as broad in scope as Chatham.

### ❖ Advisory Board

- Five (5) members
  - Three (3) from Chatham; Two (2) from Harwich.
  - Meet quarterly.
  - Make recommendations to Chatham on proposed improvements or other modifications to the System.

## Timeline (anticipated)

### ❖2017

- ❖ IMA and funding request to Annual Town Meetings.
- ❖ Towns submit (joint) Project Evaluation Form (PEF) to MADEP State Revolving Fund (SRF).

### ❖2017 - 2019

- ❖ Design and Bidding.

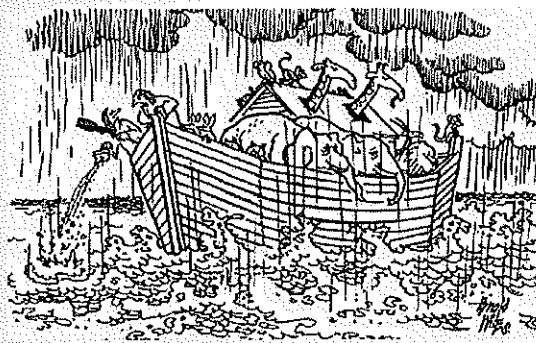
### ❖2019 - 2021

- ❖ Construction.

### ❖2021

- ❖ Begin property connections.

## Questions?



**"How many times must I tell you, the sea is not one vast, inexhaustible refuse dump."**

For more information visit the following websites:

<http://www.chatham-ma.gov/comprehensive-wastewaternutrient-management-plan>

<http://www.harwich-ma.gov/wastewater-implementation-committee/webforms/cwmphandbookvoter-info>

## PHASE 2 – BREAKDOWN

### CDM Smith

|                                      |                     |
|--------------------------------------|---------------------|
| Task 1 - Survey                      | \$204,000           |
| Task 2 - Preliminary Design          | \$198,000           |
| Task 3 - Final Design                | <u>\$1,592,000</u>  |
| <b>Subtotal Design Phase:</b>        | <b>\$1,994,000</b>  |
|                                      |                     |
| Bidding                              | \$30,000            |
| General Services during Construction | \$531,000           |
| Resident Inspection                  | \$1,680,000         |
| Construction                         | \$17,680,000        |
| Policing (allowance)                 | <u>\$385,000</u>    |
| <b>Phase 2 Total:</b>                | <b>\$22,300,000</b> |

## Harwich, MA – Phase 2 Design Contract Cost Breakdown

| TASK/DESCRIPTION   | HOURS         | RAW<br>LABOR      | OUTSIDE<br>PROFESSIONAL<br>EXPENSE | TOTAL COST          |
|--|---------------|-------------------|------------------------------------|---------------------|
| Task 1: Survey   |               |                   |                                    |                     |
| Subtasks 1A + 1B: Aerial Photography + Topographic Mapping | -             | \$ -              | \$ 39,900                          | \$ 39,900           |
| Subtask 1C: Supplemental Field Surveys                     | 24            | \$ 1,169          | \$ 160,650                         | \$ 164,100          |
| <b>Task 1 Subtotal</b>                                     | <b>24</b>     | <b>\$ 1,169</b>   | <b>\$ 200,550</b>                  | <b>\$ 204,000</b>   |
| Task 2: Preliminary Design                                 |               |                   |                                    |                     |
| Subtask 2A: Wastewater Collection System                   | 1,065         | \$ 37,512         | \$ -                               | \$ 110,860          |
| Subtask 2B: Wastewater Pumping Stations                    | 145           | \$ 6,475          | \$ -                               | \$ 19,100           |
| Subtask 2C: Technical Memorandum and Cost Estimate         | 250           | \$ 11,593         | \$ -                               | \$ 34,200           |
| Subtask 2D: Project Management and Meetings                | 160           | \$ 11,200         | \$ 800                             | \$ 33,840           |
| <b>Task 2 Subtotal</b>                                     | <b>1,620</b>  | <b>\$ 66,780</b>  | <b>\$ 1,000</b>                    | <b>\$ 198,000</b>   |
| Task 3: Final Design                                       |               |                   |                                    |                     |
| Subtask 3A: Subsurface Investigations                      | 500           | \$ 17,525         | \$ 161,700                         | \$ 218,700          |
| Subtask 3B: Permitting/SRF Submittals                      | 634           | \$ 25,119         | \$ 2,100                           | \$ 78,700           |
| Subtask 3C: Final Plans and Specifications                 | 9,446         | \$ 366,102        | \$ 25,200                          | \$ 1,113,200        |
| Subtask 3D: Construction Cost Estimate                     | 163           | \$ 8,983          | \$ -                               | \$ 26,500           |
| Subtask 3E: Project Management and Meetings                | 782           | \$ 50,813         | \$ 5,000                           | \$ 154,900          |
| <b>Task 3 Subtotal</b>                                     | <b>11,525</b> | <b>\$ 468,542</b> | <b>\$ 189,000</b>                  | <b>\$ 1,592,000</b> |
| <b>PROJECT TOTALS</b>                                      | <b>13,169</b> | <b>\$ 536,491</b> | <b>\$ 389,550</b>                  | <b>\$ 1,994,000</b> |



## Related Documents - February 27, 2017 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes 2-6-17.pdf
- 03 Certificate of Recognition.pdf
- 04 Bass Tournaments.pdf
- 05 Marijuana Temporary Moratorium.pdf
- 06 Committee Resignation.pdf
- 07 MRSD Agreement.pdf
- 08 Draft Wastewater IMA.pdf
- 09 Wastewater Phase 2.pdf
- 10 Wastewater Brochure.pdf
- 11 Sewer Regulations.pdf
- 12 Wastewater Governance.pdf
- 13 Wastewater Article.pdf
- 14 Action Item Register.pdf
- 15 Draft TM Warrant.pdf
- 16 Accessory Apt Draft By-Law.pdf
- 17 Route 28 Project Initiation.pdf
- 18 Auston Road Zoning Violation.pdf
- 19 Habitat Letter.pdf
- 20 Mass DEP Letter.pdf
- 21 Jay Z Drive.pdf