

# TOWN OF HARVARD

## TOWN CENTER WASTEWATER POLICY COMMITTEE

### Minutes

**Meeting Date:** February 15, 2010

**Meeting Place:** Upstairs, Old Library

**Members Present:** Scott Hayward (Chairman), Pat Jennings, Marie Fagan, Billy Salter, Jeff Ritter, Kyle Hedrick

**Others Present:** members of the public

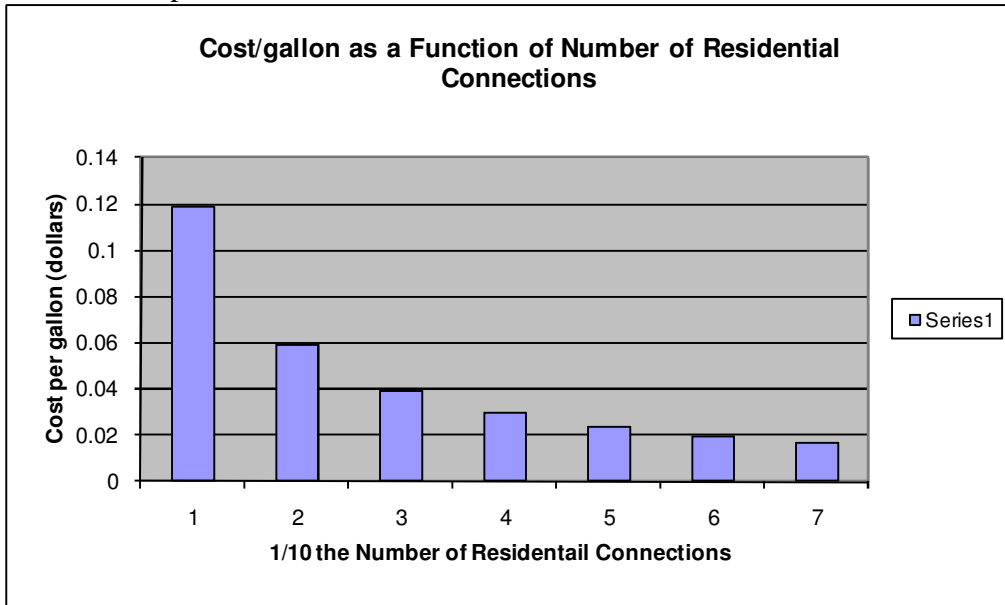
**Meeting Time:** 7:35 pm

**Adjournment Time:** 9:00 pm

### Discussions and Actions

- Chair opened meeting 7:35 pm
- Public comment: Members of the public offered questions as to what are costs to hook up; do fees that will be charged vary with property owners' income? TCWPC Chairman outlined expected betterment fees and hookup costs, based on the Weston and Sampson report of September 18, 2009 (page 32), as cc'd to Tim Bragan: betterments are expected to be about \$17,000; the one-time sewer connection fee is estimated at \$1,000; the cost of the sewer connection will vary by property, but is estimated at \$6,000. Member of public noted that anyone charged a betterment should have the option to hook up to the sewer at any time, in perpetuity.
- Chair asked members for update of progress on contacting residents. Several members have contacted everyone on their portion of the lists; other members have not yet begun contacting.
- Going through the various versions of the sewer district list TCWPC members discovered some confusing information. Some properties are not in the district on the list in the Sept 18<sup>th</sup> report, while those same properties are included in the older, longer list, but the column labeled "in district" is filled in with a "no." Why are they on the bigger list if they are not in the district, and are the property owners aware of whether they are in or out? TCWPC will confirm with building committee who exactly is in and not in the district.
- TCWPC members reported on their meeting with Lorraine Leonard, Finance Director.
  - So far, the numbers have not changed, and Lorraine is using \$17,000 per betterment, \$6,000-\$7,000 for cost of connection, and \$1,000 for first-year hookup fee, \$2,000 hookup fee in second year, etc. Those are only assumptions for her to work up numbers-- the final fees will be set by the selectmen with the input of TCWPC. They also discussed the possibility of reducing hookup fees or eliminating hookup fees altogether, as an incentive to sign up. This would be subject to the impact on the enterprise account.
  - The project cost is still estimated at \$2.2 million.
  - Lorraine was receptive to a TCWPC member's suggestion that rather than having penalties for hooking up later, the project should have incentives for hooking up right away. These incentives could include allowing only half or one-quarter of the betterment fee to be paid up front, and financing the rest at 2% via a lien on the property.
- TCPWC member presented a financial analysis of operating costs of the sewer system in which the assumed costs were spread over a varying number of connections.
  - The operating cost per connection falls the more connections there are (see Figure below, presented by TCWPC member). At 40 connections, the further cost reductions become very small.
  - This analysis show that it would be important to get at least 40 properties hooked up right

away in order to keep operating costs and monthly bills reasonable, if each property really had to pay its share of operating costs. One member noted that it was explained to her that the cost will be the same per property no matter how many or how few hooked up—the Town will cover the rest—but she could not remember where she heard it. In that case, the Town will foot the bill and the property owners have much less at risk if others do not hook up.



- TCWPC members developed list of question to ask Town Counsel, to be used at March 1 meeting of TCWPC:
  - What exactly did we pass at town meeting (in terms of the boundaries of the district, and which properties are in and not in)? What exactly is the wording that went up to the state for approval?
  - How much legal flexibility is there in changing boundaries after state votes?
  - How much technical flexibility is there in changing boundaries? (not a Q for counsel, but for building committee)
  - What did Town meeting vote (May 2009), if anything, in terms of operations cost spreading between Town and sewer users?
  - Do we need to change by-laws to be allowed to hook up to sewers if a property is not in the water district?
  - What jurisdiction does Ira Grossman have? (ie, what, if any, is the role of the Board of Health?)
  - Do we need to set up an enterprise to have an enterprise fund? Or is an enterprise fund just an accounting structure that Lorraine Leonard can put together? What happens if an enterprise fund is short or long on funds?
  - What happens if we are in the middle of construction and discover it will cost much more than projected (i.e., more than the 20 percent contingency built into the engineer's estimate, and more than the 10 percent increase built into what we voted at Town meeting)?
  - Will the betterment automatically increase the assessed value of a property by the amount of the betterment?
  - If so, is it legal to rebate the increase on the assessment?
  - Under what circumstances can we force people to connect to the sewer? Is that established in what we voted at Town meeting?
  - If your property has a deed restriction and then you hook up to sewer, how do you make the

- deed restriction go away?
- Can you tie a barn back to the house to connect or do you have to get two T-connections?
  - Regarding reserve capacity: does the option to tie into sewer stay on the deed? For how long?
  - What does “capacity is reserved” mean—e.g., what commitment was made at Town Meeting vote?
  - How hard is it (or how easy is it) to combine an elected Water Commission with an appointed Sewer Commission?
  - Once the State legislature has voted on our home rule petition, how hard is it to change anything?—e.g., changing the sewer commission from appointed to elected?
  - Does the Master Plan have any legal impact or implications for sewer policy? Is sewer policy subordinate to the Master plan?
  - Individual versus group liability: if someone defaults, to whom does it run?
  - Other Liability: what happens if someone dumps toxic chemicals into the system?
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- Next Meeting March 1, Fireplace Room, Old Library
  - Move to adjourn at 9:00 PM.