

ORLEANS BOARD OF SELECTMEN  
MEETING MINUTES

KDalyy Assd  
TOWN OF ORLEANS  
TOWN CLERKS OFFICE  
09 MAR -9 PM 1:00

January 29, 2009

Approved on February 25, 2009

A joint meeting of the Orleans, Eastham and Brewster Boards of Selectmen was held on Thursday, January 29, 2009 at the Orleans Council on Aging Senior Center. Present from the Town of Orleans were Chairman David M. Dunford, Vice-Chairman Mark E. Carron, Clerk Jon R. Fuller, Selectwoman Margie Fulcher and Town Administrator John Kelly. Present from the Town of Eastham were Chairwoman Linda S. Burt, Vice-Chairman Martin McDonald, Clerk David W. Schropfer, Selectwoman Aimee Eckman and Town Administrator Sheila Vanderhoef. Present from the Town of Brewster were Chairman Peter G. Norton, Vice-Chairwoman Dyanne F. Cooney, Clerk James W. Foley, Selectman Edward S. Lewis and Town Administrator Charles Sumner.

Chairman Dunford called the meeting to order at 7:00 pm.

Introduction: (00:00:45)

Mr. Dunford welcomed the Brewster and Eastham Selectmen and Town Administrators. Mr. Dunford stated the purpose of the meeting was to begin preliminary dialogue on the future of the Tri-Town Sewer Facility.

Overview of Orleans Comprehensive Wastewater Management Plan (Chapter 11) and the proposed utilization of the Tri-Town property: (00:04:15)

Orleans Director of Community Development and Planning George Meservey spoke to the Boards about the Tri-Town site and its importance in the role of the newly adopted Comprehensive Wastewater Management Plan. Mr. Meservey outlined both the Core Wastewater Management Plan and the extended plan, which allows for the possibility of a regionalized wastewater management plan.

Overview of the Intermunicipal Agreement Legal Issues: (00:12:35)

Orleans Town Counsel Michael Ford spoke to the joint boards, to offer insight into the Tri-Town Intermunicipal Agreement. Mr. Ford outlined the key points of the current agreement and the necessary steps that will need to take place in the future should the Town of Orleans wish to use the Tri-Town site for a new wastewater treatment facility.

Mr. Kelly asked Mr. Ford to review the Department of Environmental Protections ability to review the current nitrogen discharge of the Tri-Town facility. Mr. Ford explained that the Department of Environmental Protection might, at any point in time, amend the current nitrogen discharge permit by lowering the limit.

James W. Foley, Clerk of the Brewster Board of Selectmen, stated that the final measure of the effluent output data is incomplete, because the effluent plume has not yet reached Namskaket Marsh.

Open discussion on interest of member Towns to continue with some type of District post-current Agreement: (00:32:10)

Linda S. Burt, Chairwoman of the Eastham Board of Selectmen, asked when Orleans would know how much land at the Tri-Town Site would be needed for the new facility. Mr. Meservey reported that the comprehensive plan is still conceptual and nothing has been committed to design, therefore the time line has not been firmly established.

Mr. Dunford stated that the way the plan is phased the full scope of land might not be needed for 15 years.

Mr. Kelly stated that the Town of Orleans has not yet fully evaluated the Tri-Town site therefore final location and impact on the current operation has not yet been determined.

Brewster Selectman Edward Lewis asked if the current operation was self-supporting. Mr. Kelly replied that the operation is currently running with a low surplus that is turned back for capital improvements.

Brewster Board of Selectman Clerk, James Foley, asked if the current operation could continue to run while the new facility was being constructed.

George Meservey replied that the plan is to continue to run Tri-Town as the new facility is constructed.

Eastham Selectman, Martin McDonald, asked if at some point Orleans would no longer need to use the Tri-town facility.

George Meservey explained that there are a number of options for the future of the facility. The plant could continue to run as a transfer station, or as a standalone facility.

Mr. Kelly stated that a full evaluation of the site has not been completed, and that a cost analysis would need to be completed before a decision could be made.

Eastham Selectman David Schropfer asked what Orleans plans were in terms of capital options. Chairman Dunford and Mr. Kelly explained that Orleans would be exploring its options in terms of garnering capital through the Environmental Bond Bill and through its own capital. Mr. Kelly also explained that the Environmental Bond Bill has a regional component that may allow an increased economic benefit for a regionalized facility.

Eastham Selectman Martin McDonald asked if it would be possible for another town or towns to buy in to Orleans Wastewater Management Facility at a later date.

Mr. Dunford explained that the current plan is adaptable and it would indeed be possible for another town or towns to join Orleans at a future date.

Brewster Selectman Edward Lewis expressed concerns with the possibility of overloading Namskaket Marsh with effluent from the treatment plant.

Mr. Meservey explained that there are a number of options for the effluent. He further stated that Orleans has identified a number of other disposal sites for the treated effluent.

Mr. Dunford asked if there were any other concerns or suggestions.

Eastham Selectman David Schropfer suggested that the Town of Wellfleet be invited to join in the discussions with the joint Boards.

Brewster Town Administrator Charles Sumner stated that the fact of the matter is that Orleans is way ahead of the other towns, and that his main concern was to get a better time line in terms of what Orleans would need from the Town of Brewster.

Mr. Kelly stated that Orleans was looking at having design money for the facility in 2011. The first hurdle that Orleans must overcome is gaining permission from the other two member towns to commence with the planning prior to the expiration of the inter-municipal agreement.

Mr. Kelly offered to share the final MEP report with the other towns as soon as it becomes available.

Mr. Sumner asked if the Town of Orleans could provide some analytical data for the capacity of the watershed area, as well as the models that Orleans is working with for the facility. He also asked if the Town of Orleans could provide them with the language for the amendment that is needed, so that Brewster might help Orleans succeed.

Augusta McKusick, spoke to the joint Boards to explain some of the suggestions and to answer some of the outstanding questions regarding the TMDL levels and the possible benefits to the Town of Brewster.

Next steps: (01:20:21)

Mr. Dunford stated that it would be helpful for the joint Boards to meet again in five to six months to continue the wastewater discussions.

Mr. Carron agreed with Mr. Sumner's suggestion that Town Administrator John Kelly and Orleans Town Counsel, Michael Ford, meet and draft an amendment to the Tri-town Intermunicipal Agreement that would allow Orleans to continue with the Comprehensive Wastewater Management Plan without interfering with the current operation of the Tri-town Facility.

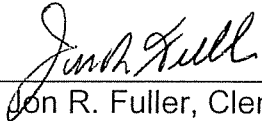
Mr. Kelly explained that it is possible for, the Tri-town Board of Managers to grant permission for Orleans to move forward with the soil investigation study of the Tri-town facility without an amendment to the current agreement. However it would be helpful to

have the amendment for a future meeting. Mr. Kelly also stated that Orleans would have a better idea of financial numbers in five or six months.

Adjourn: (01:29:58)

**On a motion by Mr. Carron and seconded by Mr. Fuller the Board voted to adjourn.** The vote was 4-0-0.

Respectfully submitted,  
Kristen Holbrook

  
\_\_\_\_\_  
Jon R. Fuller, Clerk