

ORLEANS SELECT BOARD

March 21 2022

Draft

This meeting was convened via remote participation under the Governor's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth from the COVID-19 virus with real-time public access provided by Channel 18 on the Town website and cable television.

Present from the Town of Orleans were Select Board Chair Mefford Runyon, Vice Chair Andrea Reed, Kevin Galligan, Michael Herman and Town Administrator John Kelly, Mark Mathison joined late.

Chair Mefford Runyon called the meeting to order at 5:00 p.m. – Work Session Meeting

As Mr. Runyon opened the meeting, Kevin Galligan recused himself from item 2. Andrea Reed explained that while she had previously needed to recuse herself, she no longer owned that property.

Meet with Town Departments and Board members for discussion on the new sewer system including the following items:

Mr. Kelly explained the overall purpose for that evening's meeting.

- a. Review of zoning, land use controls and build-out opportunities for sewered properties
- b. Impact on property values and assessments
- c. Other potential impacts, questions or concerns

George Meserve explained the regulations that needed to be adhered to. He explained that nutrient regulations would not apply to a property that was sewered but zoning bylaws would still apply. He explained that for non-sewered properties that the zoning bylaw and nutrient regulations would still apply and spoke to options that residents had within those limitations. He then gave an example of how a build-out might work in both the Downtown area and Meetinghouse Pond area.

Mr. Runyon clarified that once the Meetinghouse Pond area had been sewered, it would become subject to flow calculations and approval from the Board of Water and Sewer Commissioners before any changes could be made to a property. Mr. Meserve explained how much additional flow would be allowed and that it would be first come-first serve. Mr. Daley added that in his opinion, there was plenty of capacity to expand.

Ms. Reed asked if assessments would change on bettered properties and Mr. Hinote stated that they would if the market dictated it. He then noted that simply being hooked up to the sewer system would not change a home's assessment from the town. There was a general discussion of what businesses might be bettered more over others and several town employees explained the betterments as well as privilege fees that might be assessed. Ms. Reed noted that the engineering costs associated with hooking up to the sewer system would be close to the cost of redoing a septic system and noted that that cost had never been talked about amongst the Select Board. Ms. Doane noted that in some cases the cost of the betterment and connection fee would far exceed the cost of a new septic system. Mr. Mathison pointed out that people who would never be hooked up to the sewers needed to be factored into the conversation and noted that there would always be a disparity of cost.

Mr. Mathison stated that if Orleans did not allow for managed development within the town that the town would die. He added that the town needed to be sensitive to all users while still allowing the town to grow and do what was best for the town. He also stated that in order for this to happen that some of the town's bylaws might need to change down the road.

Mr. Meservey noted that the town had voted to protect the water. He stated that the homes that would receive the highest benefit in terms of value were those on the water and that those homes were the ones with some of the highest taxes. He stated that he felt that it was the most progressive move to put 100% on the tax rate as more of the cost would be distributed to the higher valued homes.

Ms. Doane spoke to how phased sewerage was being done in Mashpee. Mr. Herman noted that Orleans was much further along in the process and did not feel that Mashpee was a good comparison. There was a discussion regarding the timing on decisions of how to pay for phases and how to create policies around those issues. Mr. Mathison noted that the goal was not to sewer 60% of the town but rather to reduce the nitrogen levels to reach federal standards which could be done in ways other than sewerage. Mr. Runyon noted that the issues with phosphorous were not in the CWNP and might be an additional task upon the town.

There was a discussion between the Select Board members and Ms. Doane surrounding the future debt burdens and models. Mr. Mathison questioned the future possibilities in terms of development and how sewers might affect those.

Mr. Runyon spoke briefly about PRBs and how they may or may not better certain properties. There was also discussion of how PRBs operated and what they would be able to mitigate.

There was then a discussion of users who would be hooked up that would be exempt. It was noted that most town entities would be exempt. Mr. Runyon questioned why there were users without betterments and Tim Harrison from AECOM spoke to this. Ms. Reed brought up the concept of fairness and Ms. Doane stated that the town had run every possible scenario and there was no way to make everyone happy.

There was a discussion surrounding the fact that the full plan for sewerage the town had not been completed and Mr. Mathison expressed his concerns that placing 100% of the cost on the tax rate would create an unlivable tax rate for many citizens. Ms. Doane noted that in all scenarios, water usage had seemed the fairest way to charge for the system and that the 80/20 split was the closest comparison to the 2018 version of the project that was originally presented to the tax payers. Ms. Doane stated that if the goal of the Select Board was to make the betterments affordable, that the betterment bylaw could be amended at any time in the future. She added that just because the tax rate was subsidizing the system, that did not mean that people would see substantial raises in their taxes.

There was a discussion of how long it would take for the Sewer Enterprise Fund to become self-sustainable. Mr. Runyon asked if fact sheets could be made for both 100% on the tax-rate, and the 80/20% split. He also asked if there could be a policy created where there would be funds set aside to help people who would still be using septic systems. Mr. Kelly spoke to the program that the county had and noted that Orleans could possibly provide an alternative program like that. Ms. Doane stated that a grant and/or low interest loan program could be set up through the Sewer Enterprise fund. She added

that it would be complicated and that it might make more sense to allow people to apply with the county.

Mr. Herman questioned how it would work were someone to leave the betterment as a lien on their property and Mr. Hinote explained that.

Ms. Reed stated that the \$38 million for Meetinghouse Pond had to be approved or the town was at risk of losing all loans. Mr. Kelly explained that if the town were to be under a consent order, that they would no longer be eligible for 0% interest loans. He noted that there was the possibility of the Conservation Law filing suit which they had done in other towns.

Items for future agendas

There were none.

Adjourn

Andrea Reed moved to adjourn, 2nd by Mark Mathison. The vote was 4-0-0, with Andrea Reed, Michael Herman, Mefford Runyon and Mark Mathison all voting aye.

Respectfully Submitted,
Ashley Stucenski

Mark Mathison, Clerk

Documents in March 21, 2022 packet: