

**NVC Utilities Committee Meeting**  
**February 13, 2004**  
**Community Hall**

Present: David Crofoot, Chairman, Dick Brockway, Judy Metcalf (by phone), John Fancy, Bill Paige, also Marge Brockway, Beverly Crofoot

Absent: Peter Spollett, Suellyn Fleming (injured)

1. Meeting convened at 2:30 p.m.
2. Minutes: The Minutes of the January 16<sup>th</sup> meeting were approved. Vote: 3-0 Copy Appended
3. Public Comments:

David Crofoot reported that notice of intent to file liens had been sent to several customers who were in arrears on payment of Sewer Bills. At least one customer had complained of being billed for two services when he had only one. This has been corrected. Several other customers have paid their bills in response to this notice. 30 day notice of lien filing will be the next step for non-payment.
4. Financial Reports: Reports were not yet available from M. Tomlin. They will be available by the time of the Overseers' meeting. John Fancy says that most people are paying bills in a timely way, and that cash flow is not a problem. Documents for the closing of the Bond for the Phase I Infrastructure Project must be ready for signature by the Board of Overseers at the next Overseers' meeting; bond counsel will see to this.
5. New Facilities Project aka "Phase III":

John Fancy presented a summary document of the meeting he had in company with Engineer Jim Fitch with representatives of Rural Development (RD) and the Department of Environmental Protection (DEP). The DEP delegation included both those involved with funding projects and those involved with enforcement and oversight. (Copy sent to Overseers.)

This presentation raises complex issues, which were thoroughly discussed and will be summarized here.

1. Regional Options: Further discussion with the City of Belfast regarding the option of connecting to the Belfast Municipal Sewer Treatment had lowered the cost estimate we would have to pay upfront from \$4.7 million to \$ 3.7 million. It would cost an additional \$1.5-2 million to dig the connections and to build the pump stations to get our wastewater into their system. We feel this to be too expensive to be a realistic option.--not likely to be funded.

2. Local Option: Our preference which is construction of a lagoon system for secondary treatment and elimination of overboard discharge has a probable cost of \$5 million but would have affordable maintenance costs for a small user base.

3. Funding from Rural Development. Grant money is **not** available as it had been in the past. Median Household Income (MHI) in Northport now exceeds \$39,000 which exceeds the threshold that would allow RD to fund any of our project with Grant Money. We are still eligible for loans at 4.5%. If the median household income of current year round users is below the \$35,000 level, there is still some chance that RD would consider us for grant money. An income survey could be performed by Maine Rural Water--price for this undetermined.

4. Funding from DEP. The State and the DEP do not have money available to fund projects such as we have been asked to envision. They imply that they would only fund in proportion to the number of year round users. They would wish to see the sewer user fee raised to 2% of median household income (i.e. \$780/year). If they did have funds available, the most they would

envision for our project would be in the range of \$2 million.

5. Other Sources of Funding: CDBG money is only available by applying through the Town of Northport; \$400,000 is the maximal amount and at least a third of it would be loan rather than grant.

John Fancy said that there seemed to be a fundamental disconnect between those in the DEP responsible for money and those responsible for enforcement. While the DEP "moneymen" suggested we might need to operate our current plant for the foreseeable future until money was available, the DEP "enforcement people" were silent. Our Consent Decree requires that we submit a Stage II Facilities Plan for a proposed replacement for our existing plant by September 1, 2004. It is difficult to design a Facility without knowing money limitations. At the present time, even if RD participates, we cannot envision a facility with a price tag of over \$2-2.5 million, and whatever plan we propose must have low maintenance fees given our limited number of users.

John Fancy presented three options which the Overseers will have to consider:

1. Legal Approach: Fight to change the Consent Agreement. Our current improvements to I&I from the Phase I project may make it possible to continue to operate our existing plant within the limits of our license. During negotiation of the Consent Decree, we were never given the option of continuing to operate our current plant. The Consent Agreement and all the expense it entails was contingent upon DEP helping us with the financing. Now they say they have no funds.
2. Operate within the constraints of the Consent Agreement. Maintain the existing plant and optimize its operations with further improvement projects to further reduce I&I. This demands a clearer understanding of what DEP really expects of us in the absence of funds to build a new treatment facility.
3. A more modest proposal. Design a plant that can be built in stages and that will satisfy future needs and requirements; first stage to be built within the limits of the \$2 million which may someday be available. Design this new primary treatment plant at a distant site, still with overboard discharge but with the eventual goal/design capacity of upgrading to secondary treatment and eliminating overboard discharge at a later stage.

John Fancy feels the third option is the best. While members of the committee expressed frustration at the mixed messages from DEP and felt the need to communicate face to face with DEP to better understand the relation between their requirements and available funding, Mr. Fancy felt it would be best to do this with a concrete plan of action in hand. He felt a reasonable and affordable compromise that could operate within the funding constraints would include:

- a. I&I; assess the results of Phase I work completed this fall on infiltration and plant flows; further test the collection system for areas of high flow, and include the I&I work envisaged as the second half of Phase I (Auditorium Park, Clinton St., Pleasant St.) as part of a final Facilities Study Report.
- b. Woodward & Curran to prepare Facilities Study which envisions long-term plan to replace existing primary treatment plant at the waterfront with an affordable secondary treatment system elsewhere. The first phase of this could be an aerated lagoon for primary treatment at a distant site with sludge wasting and overboard discharge of chlorinated/dechlorinated effluent; if adequate land is purchased, this could be upgraded at a later date to a full secondary treatment system, and eventual elimination of overboard discharge.
- c. Locate and purchase land in 2004.

- d. Abandon thoughts of connecting to Belfast system.
- e. Investigate funding for sewer system improvements and upgrades
  1. RD: Income survey by Maine Rural Water to see if we would qualify for RD grant money.
  2. DEP: Continue to press the DEP and the State of Maine for the share of the funding they promised in the Consent Decree and/or for a better understanding of their expectations.

The members of the committee were in general agreement with this third approach, but felt that this would have to be fully discussed at the level of the Board of Overseers. They expressed a need for an on-site meeting with both money and enforcement personnel of the DEP to be sure that we were all talking the same language.

"Phase III" expenditures already exceed \$73,000 (including legal fees related to the consent decree, engineering studies to upgrade our existing plant and to do preliminary studies for replacement, and for DEP fines.) With the sewer rate increase, funds will be budgeted for Phase III expenses in the future but would not be adequate to fund major expenses such as land acquisition.

6. Review Proposed Utility Ordinances: Ordinance Sections 200, 201, 202, 203, 210, 211, and 215 were reviewed and amended. Further work remains to be done on 217, 218, 220, 225, 226, 227. These will be presented to the Board when revisions are complete.
7. Other business:
  - a. Seasonal customers --although the replacement of surface pipes with deep pipes to all but three water customers may change to risk of line freeze up, the fact that 140 customers have seasonal removal and replacement of water meters requires that we retain some definition of seasonal user. Any use of seasonal services between the date of October 15 and May 1 is at the user's risk. There is no difference in rate structure between seasonal and year round water users.
  - b. Sewer users will be reminded that our current ordinance and the proposed Utility Ordinance both prohibit the connection of roof drains, basement sump pumps, or any unpolluted waters to our sanitary sewer system and any such connections must be removed.
  - c. Infiltration into sewer pipes connecting individual houses to main collectors continues to be a significant source of I&I. Owners will be required to replace their sewer pipe from house to collector if they envision placement of a foundation or major plumbing work. Any upgrading of old clay pipes to modern sewer pipe by individual owners is to be encouraged.
1. Meeting adjourned 5: 30 p.m. Next meeting in the Community Hall, Friday, March 12, at 2:30 p.m. University of Maine Engineering students will present a preliminary report on their research project. Further work on proposed Utility Ordinance.

Respectfully submitted,

David Crofoot