

Written by Edward F. Maroney

Burdening only those served leads to defeat

In a year when the residents of two Cape communities committed to town-wide wastewater infrastructure plans, the Barnstable Town Council rejected by narrow margins two sewer additions.

A \$44.1 million plan to sewer about 1,300 properties at Lake Wequaquet in Centerville failed June 25 when it fell two votes short of the required two-thirds majority. The Stewart's Creek Phase 2 sewerage in Hyannis, at \$7.2 million to serve about 320 properties, lost by just one vote.

Having convened in Knight Auditorium at Barnstable High School at 7 p.m. last Thursday, the council came back into session in the early minutes of Friday morning and passed, by one vote, a \$9.96 million pump station project to be built near Hyannis West Elementary School.

Applause from an overflow attendance that exceeded 500 people greeted the first two votes, but few were left to observe the final tally.

The projects had been in the pipeline as part of the town's wastewater plan for some time, but the impetus for the council vote was more recent: the announcement of a tight deadline to qualify for low-interest loans and significant principal subsidies.

Combining the three projects, the savings were estimated at \$5,389,480 in principal and \$14,010,000 in interest payments.

That wasn't the problem.

Unlike Chatham, whose town meeting voted to pay for sewerage what amounts to the entire community from the property tax base (owners will pay a connection fee but no betterments), or Orleans, whose selectmen set a policy that partial sewerage of the town would be paid by increased property taxes (80 percent) and betterments to those on the system (20 percent), the Barnstable plans called for 100 percent betterment assessments to Wequaquet Lake and Stewart's Creek property owners.

Estimates were that a Wequaquet Lake property would pay \$30,900 or \$1,870 per year over 20 years. In the same period, a Stewart's Creek property would pay \$20,500, or \$1,240 per year. The approved pump station will be paid for by an estimated \$2,000 connection fee as properties are hooked up, including those on the existing system.

Last Thursday, many speakers protested what they considered the undue burden on property owners shouldering most of the cost for the two expansions. During the evening, several said the cost should be spread across the town as all would ultimately benefit from a cleaner aquifer.

The Wequaquet Lake and Stewart's Creek areas were prioritized as areas of concern years ago, and the east side of the latter has already been funded for sewerage. Department of Public Works Director Mark Ells noted that the town council appropriated design funds for the Centerville and Hyannis locations in 2002 and 2003, respectively.

Ells said on-site Title 5 septic system failures are the reason for the sewerage expansion. "We are concerned that, as we continue to build on top of the water supply we drink, that we might exceed [water

quality] standards," he said.

Dr. Wayne Miller, chairman of the board health, said the board has been allowing temporary fixes for failed systems in the areas based on the assumption that sewerage would move forward.

Finance Director Mark Milne said the town was looking at ways to expand the payback period from 20 to 30 years. When he said the projects could be paid for through a debt exclusion vote by the electorate, there were cries of, "Let's do it!"

"To be fair, we have to look at how all of us can help with this," said Cotuit's Diane Fay. All residents should be required to pump their septic systems every two years, she said, or be fined if they do not.

Others said more thought should be devoted to individual situations. One speaker who said she had voluntarily upgraded to a Title 5 system in 2003 at a cost of \$9,000 asked why she wasn't told of the sewer projects under consideration then.

Councilor Rick Barry, who said he was reading from a draft report of the Massachusetts Estuaries Project, said, "We're actually doin' OK in Stewart's Creek" as opposed to areas such as Popponneset Bay and Three Bays. "We're putting a sewer project in a place that's healthy as far as this study [says]."

Lindsey Counsell, executive director of Three Bays Preservation, cautioned that the data in the draft were preliminary. Councilor Greg Milne, whose precinct includes Stewart's Creek, presented data gathered with his own nose: "It stinks," he said. "It is polluted. The body of water is sick."

Councilor Tom Rugo said he had been contacted by many of his Precinct 2 constituents, "the vast majority opposed to the funding mechanism. Therefore, I will vote in opposition to this funding formula."

"Are you willing to give up the subsidy, to pay the additional costs in the future?" Councilor Jim Munafo asked. "Yes!" shouted someone in the audience.

Councilors Barry, Jim Crocker, Janet Joakim, Munafo, and Rugo voted against the plan. In the subsequent vote on Lake Wequaquet, Barry, Crocker, Munafo, and Rugo voted no as well. Joakim recused herself, citing a family matter, and Canedy voted against the project.

(In a subsequent e-mail exchange, Joakim wrote that her vote would have had a direct financial effect on immediate family members. She said she sought a legal opinion from counsel (not the town attorney) and was advised to recuse herself. Joakim said she received the opinion on the day of the vote).

"That was a smart move on the part of some of you," John Julius of Hyannis said of those who voted against the Stewart's Creek project as the Wequaquet Lake debate began. "The councilors should be thinking about how to spread the costs. They need to go back to the drawing board and spread this among all of us. This is about all of us."

Opposition again centered on funding, with Stanley Cronig, 85, speaking for many when he compared the billion-dollar federal bailout of banks to the "measly" millions being offered in principal subsidies for the project. In a tribute to Winston Churchill, he intoned, "Never will so few burden so many with so much debt to so little purpose."

Roars and cheers rang out as the vote was announced.

Crocker led the charge for approval of the pump station and force main system, arguing that expanding the system's capacity was necessary. Milne objected to the cost to those already on the sewer line, who would have to carry the cost until other areas are connected.

The meeting ended 18 minutes into Friday. There was no immediate discussion of next steps, but they could include bringing back the Stewart's Creek project separately, as well as forming a broader wastewater committee with greater formal citizen participation, as suggested by Canedy.

On July 14 at 3 p.m., the board of health will meet with George Heufelder, county director of health and environment, for an update on the effectiveness of innovative and alternative septic systems. The board will use the information as it considers how to address failed septic systems in the Lake Wequaquet area that had received waivers pending construction of sewers.
