

Written by David Still II

Funding options and realities discussed

In its research for other funding alternatives for Barnstable's wastewater needs, a subcommittee of the Comprehensive Finance Advisory Committee sat down for a wide-ranging discussion with Cape Cod Commission Executive Director Paul Niedzwiecki at the commission offices Sept. 30.

It was equal parts philosophy, information sharing and practical advice for the subcommittee.

Members asked a number of questions about approaches to financing and took a lot of notes, which will instruct future discussions and their eventual report back to the full committee.

Barnstable's policy on new sewer construction is that the cost of expansion will be borne by those tying into the system. The price tag to individual property owners for that approach has met with opposition in both major expansion efforts, though both areas also have advocates for the projects.

"I'm convinced, if you have a 100 percent betterment policy that you don't have a sewer financing plan," Niedzwiecki said, and sees what's happened in Barnstable as a natural result.

Other Options

Town Council President Fred Chirigotis also attended the meeting. He tasked the CFAC with exploring funding alternatives for wastewater needs after dissension occurred over two significant sewer projects: the Wequaquet Lake/Centerville area and Stewart's Creek in Hyannis.

Chirigotis said that a separate citizens advisory committee is being organized to look at different treatment options available to address wastewater and asked that the CFAC members provide some financial assistance for that effort.

"We're always stuck and we're always playing in the abstract," Chirigotis said. He said if there was a plan to which people could respond and react, it might ultimately lead to acceptance.

On that point, Niedzwiecki said that the commission has done research on alternatives in use on Cape and over the bridge, to include the possibility of federal grants.

One of the purposes of the Cape Cod Water Protection Collaborative, formed five years ago, was to seek federal funding opportunities. From that effort, it became evident that funding solutions would need to be found on this side of the bridge,

"The bad news is that the federal government isn't going to write a big check for Cape Cod," Niedzwiecki told the committee. "The cost of answering this problem will be spread, but it's not going to spread over the bridge," he added later.

The State Revolving Fund (SRF) for wastewater provides an option for zero-interest loans on infrastructure costs, but requires communities to adopt neutral flow wastewater flow policies. While some see that as a no-growth policy, Niedzwiecki said it doesn't have to work that way.

Another approach is to create a wastewater district. The key is determining how all property owners required to pay into it would benefit, as not all properties will be or need to be sewerred.

Barnstable's funding issues are the same as the 14 other Cape towns, but he sees a number of opportunities for the Cape's biggest town.

"I think you have huge possibilities in Barnstable," Niedzwiecki, the town's one-time assistant town manager, said. "The best thing you can do as an advisory committee is frame all of this for the town council."

Among the avenues to research is the advantage that many consider the antithesis of coordinated planning. Barnstable's independent fire districts, three of which provide public water, may provide an existing structure into which a town-wide sewer district could be folded, Niedzwiecki said. All fall outside the tax-limiting provisions of Proposition 2 1/2, which could be a valuable consideration as questions about how to pay for any program are raised.

Niedzwiecki also pointed out that the town already operates the largest sewer collection system on the Cape.

"It's just not close to the real problems that you need to clean up," he said.

Add to that, the large sewer projects for Wequaquet and Stewart's Creek were initiated and developed for problems related to health regulations, not nutrient loading. When these projects were prioritized, nutrient loading was not the imperative that it is now.

Niedzwiecki suggested that CFAC take a look at how Chatham presented its town-wide sewer plan. While there are differences in both size and resources (Chatham started building a sewer reserve more than a decade ago), how the plan was explained to the public made the start of a \$350 million plan an easy sell, at least initially. There is an effort to undo the plan approved last spring.

Who Could Do It?

Niedzwiecki also ran down the different governmental entities with the authority to take some action to require action on wastewater management.

Niedzwiecki does not believe that Barnstable County "as it's constructed right now" is equipped to handle a wastewater authority of the magnitude needed Capewide. he said that it could be created, though, through special legislation.

The state Department of Environmental Protection has the unilateral authority to create wastewater management districts, but has not exercised it. The Cape Cod Commission has the ability to nominate a Capewide District of Critical Planning Concern and write regulations for its implementation. It also hasn't exercised that authority and, as Niedzwiecki pointed out, lacks the ability to assess charges or issue debt in order to pay for it.

The direction of Niedzwiecki's comments mirrors the discussions being held by the review committee for the Cape Cod Water Protection Collaborative, which is on a watershed by watershed basis.

"This is all about finding the right economy of scale to make this efficient," Niedzwiecki said.

The Subcommittee

Serving on the CFAC subcommittee are members Ralph Krau, Laura Cronin and Robert Ciolek. Ciolek is the newest member of CFAC, but the one with the deepest background in issues surrounding wastewater and water supply. He is an attorney and served as director of the Boston Water and Sewer Commission as it morphed into the federal court-mandated Massachusetts Water Resources Authority, for which he served as chief operating officer. More recently he was executive director of the Massachusetts Higher Education Finance Authority.

Ciolek and Niedzwiecki share a familiarity. They first crossed paths when Niedzwiecki was a college intern for the MWRA Advisory Board, then years later as an attorney for Stop The Outfall Pipe, Niedzwiecki sued the MWRA for alleged violations of the Massachusetts Oceans Sanctuaries Act in the construction of its nine-mile outfall pipe.

The next full meeting of CFAC on Oct. 5 at 7 p.m.