

MINUTES OF THE  
CAPE COD WATER PROTECTION COLLABORATIVE  
04-09-08

A meeting of the Cape Cod Water Protection Collaborative was held at the Orleans Town Hall in Orleans on April 9, 2008 commencing at 10:08 a.m.

**Members:**

Barnstable	Mark Ells	Absent
Bourne	Peggy Fantozzi	Present
Brewster	Jillian Douglas	Present
Chatham	Robert Duncanson	Present
Dennis	Sheryl McMahan	Present
Eastham	Jane Crowley	Absent
Falmouth	Jack Barnes	Present
Harwich	Larry Ballantine	Absent
Mashpee	John Cahalane	Absent
Orleans	Augusta McKusick	Present
Provincetown	Cheryl Andrews	Present
Sandwich	Michael Zylich	Absent
Truro	Pat Pajaron	Present
Wellfleet	Emily E. H. Beebe	Present
Yarmouth	George Allaire	Absent

**County Commissioners' Appointees:**

John O'Brien	Absent
John Hinckley	Present

**Others Present:**

Andrew Gottlieb	Executive Director
Kara McCormick	Barnstable County Staff
Susan Rask	Barnstable County Department of Health and Environment
Gerald Potamis	Town of Falmouth
Paul Niedzwiecki	Cape Cod Commission
John Hodgkinson	Orleans
Tonna-Marie Surgeon-Rodgers	Waquoit Bay
Chris Miller	Town of Brewster
Tom Cambareri	Cape Cod Commission
Carol Ridley	Ridley & Associates
Sandy Bane	Town of Eastham
Brian Dudley	Department of Environmental Protection
David Delorenzo	Department of Environmental Protection
Phil Jasset	UCANE
Terry Campbell	Stearns & Wheeler

Chairman McKusick called the meeting to order and introduced John Kelley, Town Manager for Orleans. Mr. Kelley welcomed the Collaborative members and members of the audience to Orleans and announced the meeting would be recorded and broadcasted live on local Channel 18.

Chairman McKusick thanked Mr. Kelley and welcomed everyone for coming. She announced that there was not enough board members present to have a quorum. The meeting would continue with general discussion and no votes of critical matters.

Paul Niedzwiecki, Executive Director of the Cape Cod Commission (Commission) made a brief statement announcing the restructuring plan for the Commission. He noted that the Commission looked forward to continue working with the Collaborative to reach mutual goals.

Chairman McKusick asked if anyone else from the audience had any comments.

Ms. McKusick noted that Jillian Douglass had joined the meeting and there was enough members present for a quorum.

1) Minutes – Chairman McKusick asked for questions or comments of the Minutes of February 13, 2008.

*Approval of the February 13, 2008 Minutes moved by Bob Duncanson, 2<sup>nd</sup> by Jack Barnes. All in favor 9-1. Cheryl Andrews abstained as she was not present at the meeting.*

Ms. McKusick asked for questions or comments of the Minutes of January 9, 2008 and December 12, 2007.

*Approval of the January 9, 2008 Minutes moved by Bob Duncanson, 2<sup>nd</sup> by Peggy Fantozzi. All in favor 8-2. Cheryl Andrews and Jack Barnes abstaining. Ms. Andrews not prepared to vote as she was not aware that the Minutes were being put in front of the board for approval. Jack Barnes was not present at the meeting.*

*Approval of the December 12, 2007 Minutes moved by Jillian Douglass, 2<sup>nd</sup> by Bob Duncanson. All in favor 10-0.*

2) Legislative update – Andrew Gottlieb

Mr. Gottlieb updated the board that they were making progress on the O’Leary legislation (S2491). They’ve met with Secretary of Housing and Community Development, Secretary of Energy & Environmental Affairs and the Executive Office of Administration and Finance. Also, State Treasurer, staff of the Water Pollution Embayment Trust, individual legislators to continue discussions with affordable housing industry. Making steady, slow progress bringing people’s level of awareness up to where it needs to be

about what the legislation does, what it doesn't do, implications of pursuing it. They have yet to find anyone who is opposed to it. They are still in the unglamorous, competitive stages and are having discussions with new people and going back and reminding those that were supportive that they're still there and why it continues to be a good idea. The bill has come out of Natural Resources, is in Senate Ways and Means and hopeful they'll continue discussion with Senate during the months of April and May. Mr. Gottlieb continued to give an overview of where both the House and Senate are in their budget process and where they will be in the next few months.

Chairman McKusick asked the Board Members if they had any questions or comments for Mr. Gottlieb?

Jillian Douglass asked if it was same number?

Andrew Gottlieb noted that it has changed to S2491.

Jack Barnes asked about the use of "Dear Colleague letters"

Andrew Gottlieb responded that the time to send out these letters is when there is a date on the calendar and time it more closely to when it's on the floor.

Sandy Bane from Eastham shared with the board members the Town of Eastham's experience working on phosphorus bill. They found each time they went to a different committee they needed to marshal the troops and send out letters.

Jerry Potamis, Wastewater Superintendent, from the Town of Falmouth shared his thoughts on financing and suggestions to look elsewhere for support.

Gussie McKusick responded, "You're absolutely right. We need to wrestle money out from somewhere to make it work including looking on the other side of the bridge."

### 3) Bring Back the Blue publication:

Gussie McKusick held up the new brochure to show the audience the new publication produced by collaborative for town's use. The 2 page publication has been distributed to town clerks. Ms. McKusick encouraged board members to get volunteers out handing them out at the doors at town meetings.

Andrew Gottlieb informed that initially 250 of the short pieces were sent to each town clerk with notion to make available during town meetings or through sticker offices. Larger piece set for distribution through 4<sup>th</sup> of July weekend through paper. PDF for both publications on Cape Keepers website.

### 4) TMDL Report – Andrew Gottlieb & Tom Cambareri

Andrew Gottlieb – “We wanted to use item (TMDL report) Status of Estuaries project. Give you down the middle characterization of my belief of where this is. Tom will talk about the status of the work project in each of the towns. Hopefully walk away with an understanding today of the contractual issue between the Commonwealth, DEP, UMASS Dartmouth, understanding from Tom’s presentation where each town is in terms of receiving work product from the Estuaries project and where that leads everybody.”

Mr. Gottlieb gave an overview of what the ISA (Interagency Services Agreements) are and the ongoing dispute between agencies. Primary issue of dispute is who owns the underlying data that’s been collected in the project and who owns the intellectual property right to the model.

Tom Cambareri presented 11 slides:

- Marine Water Recharge areas; 59 major embayments
- Map of Watersheds
- Picture of Waquoit Bay, Falmouth
- Picture of Prince Cove, Barnstable
- Relative nitrogen Thresholds
- MA Estuaries Project, Joint Partnership
- MA Estuaries Project, Linked Watershed-Embayment approach
- MA Estuaries project, Technical Report Status
- Total Maximum Daily Load Report Status.

Sue Rask provided an update on the status of wastewater public awareness survey for wastewater that is funded through the MA Environmental Trust. Phone survey will take place in July.

Carol Ridley provided a Smart Growth project update (distributed one page handout).

Ms. McKusick suggested that the Executive Committee work on the Commission data management project and bring back as an item at the next Governing Board meeting. Discussion would take too long today.

5) Budget Discussion – Andrew Gottlieb

FY’08 - \$6,000 positive balance that can be rolled over into next year.

FY’09 – Advised since last Governing Board meeting there has been 2 meetings with the assembly. Both committee meetings have been positive. Received support for entire request. Mr. Gottlieb’s expectations are that the full requested amount of \$250,000 will be part of final package that the assembly will vote.

6) Priorities for April through July – Andrew Gottlieb

Mr. Gottlieb would like to suggest that there is some understanding that he will spend the majority of his time working on the legislation. Also, the publication aspect working

with Sue and Tom on the Cape Keepers website. He will nail down advertising for bring back the blue piece. He will also be working on internal organization membership. And, will keep eye on ISA thing.

Peggy Fantozzi advised the Governing Board that the Steering Committee discussed at some length and make that recommendation to the whole body.

Gussie McKusick responded, "We have consensus on that".

Ms. McKusick announced the Executive Committee will meet on April 24<sup>th</sup> at the Cape Cod Commission library. Next Governing Board Meeting will be held on May 14<sup>th</sup> in Rooms 11&12, Superior Courthouse. Andrew will be sending out letters to the towns in a week or 10 days regarding the appointment or reappoint of their town's representative on the Collaborative. The Collaborative will be reevaluating who serves on Executive Committee.

Ms. McKusick asked for any comments from the public.

Jerry Potamis commented on the handout from Carol Ridley. He asked they reconsider the wording on bullet 3.

Carol Ridley thanked Jerry for his comments. She noted these are preliminary drafts and a lot of the wording needs refining. She also invited anyone to contact Sue Rask or herself with any comments on the handout.

Chairman McKusick asked for any other business.

Bob Duncanson announced that Chatham will be submitting their wastewater comprehensive management plan by the end of month and it will be posted on the Town of Chatham's website.

*Chairman McKusick motioned to adjourn. Moved by John Hinckley. 2<sup>nd</sup> by Jack Barnes. Approved by all.*

Meeting adjourned at 11:55 a.m.