



MEETING SUMMARY

PROJECT: Bristol Stormwater Management Enterprise Fund Feasibility Study

MEETING #: Steering Committee Meeting #3

DATE: Monday, September 19, 2016

TIME: 6:30-8:30 PM

LOCATION: Bristol Quinta Gamelin Community Center

ATTENDEES: Steering Committee Members – Ray DeLeo, Stan Dimock, Tim Sweeney (Town Council Member), Edward Stuart Jr. (Town Council Member), Andy Tyska, Tony Morettini, Steven Roth, and Bob Aldrich
Rhode Island Department of Environmental Management (DEM) – Elizabeth Scott
Town of Bristol – Tony Teixeira, Edward Tanner, Jose DaSilva
Horsley Witten (HW) – Russ Chateauneuf
Amec Foster Wheeler (Amec) – Rich Niles
Blue Sky Engineering – Jean Lambert

The 3rd Steering Committee meeting was held at the Bristol Quinta Gamelin Community Center, 101 Asylum Road, Bristol RI on Monday, September 19, 2016. The goals of the meeting were to review and discuss the draft *Feasibility Assessment – Municipal Stormwater Management Program and Enterprise Fund* report and obtain committee feedback on the proposed implementation plan, policy considerations, and draft ordinance.

Summary:

Statement of Goals and Objectives and Review of Previous Meetings:

- Russ provided introductory remarks, a welcome, list of goals and objectives for the meeting, and a review of previous meetings and results. In summary, the added revenue need is estimated to be \$500,000 per year, for a total of \$1,357,000. This amount is deemed needed to make progress from the current, largely inadequate and reactionary practices to correct stormwater deficiencies. Aging infrastructure, chronic flooding, and lack of a comprehensive maintenance plan were the 3 greatest areas of concern. The results from the 2nd steering committee meeting vote tally confirmed that the committee felt that a fee system would be the “best option” to meet the Town’s needed.
- Under the current General Fund apportionment, single family residential homeowners are paying 66% of the total stormwater annual budget. However, under a fee system based on average impervious area, the amount paid by the single family homeowners

would be only 46%. In essence, the contribution from multifamily residential homeowners and commercial properties would be larger based on the fee system and on the greater demand placed on the stormwater system by those properties.

- Rich Niles presented a review of the technical analysis for determining and defining the amount of impervious area on each of the 8,000 plus parcels, the accuracy of area measurements, current and future data needs, and the analysis of billing units and rate structures. An Equivalent Residential Unit (ERU) of 3200 square feet of impervious area was calculated based on the average of measured impervious areas on single family residential lots.

Discussion points and comments

- Considerable discussion was had over the statement in Section 4.1 which contends that the current level of service provided on stormwater is “minimal and not adequate”. What exactly would an increase of \$500,000 in annual appropriation accomplish? Is that amount sufficient? Sufficiency seemed to be defined to mean “adequate to meet all of the Town’s future stormwater needs”. [The report states that for various reasons all future needs cannot be established at this time. The main reason for this is that it is anticipated that several added requirements would likely be included in RIDEM’s soon to be revised MS4 permit for municipal stormwater discharges, which in turn are based on correcting impairments in all water body segments affected by Bristol stormwater discharges. An equally important reason is that there has been no comprehensive analysis of the costs of replacing deteriorated infrastructure or addressing the many other needs of the stormwater system as outlined in the report.]
- Pages 17 thru 19 in the Draft Report details the current and future costs. It was the result of analysis by Town staff and the consultant team based on a review of several years of records and estimates of project needs. Ed Tanner noted that costs for stormwater management are detailed in various parts of the approved budgets, but the costs attributable to stormwater may be separated and aggregated reasonably well by department directors.
- Some attendees supported the idea that at least a 5-yr plan should be developed that would identify specific projects to be accomplished with the added funding.
- The summary opinion of the group was that they continue to believe more funding is needed to meet the Town’s stormwater needs. However, a distinction is made between “fund” and “fee”. The funding allocation can be increased without establishing a new fee system. Whereas this project phase, as summarized in the draft report, evaluated the merits of a new fee based on each parcel’s demand placed on the stormwater system (i.e. amount of impervious), increasing taxes to meet the funding need is an option that should still be considered. Perhaps the Stormwater Management Program should become a separate line item in the budget.

- Steering Committee (SC) members present were polled concerning their comfort level for moving forward with the user fee concept, with the following results:

No	2 votes
Not Sure	2 votes
Yes	3 votes
Strong Support	0 votes

Reasons given for a No vote were:

- vulnerable economy; do not wish to discourage business/investment
- another fee may compromise further growth and economic development
- a new fee would be viewed as an additional burden on property owners
- a new "line item" on a Town bill may not be supported by the public

[**Note:** Not all Steering Committee members attended all meetings, and not all voted. Of the seven (7) members voting at the 3rd meeting, only two (2) had voted at the 2nd meeting. There were eleven (11) total votes taken at the 2nd meeting. Had all members been present and voted at both meetings, the outcome may have been different.]

- It was noted that a user fee system provides an incentive for property owners to lower the Town's overall stormwater burden. As described briefly in the Credit Backgrounder (Appendix M), fees can be lowered if property owners install and use on-lot stormwater treatment systems, contain or dispose runoff on-site, take action to reduce unneeded impervious, or adopt non-structural measures such education and outreach.
- Concerns were raised about an ERU measuring 3200 square feet. Is that too large? Parcels with smaller impervious, say 1500 square feet, would not be discouraged in adding impervious and thus increasing the stormwater management burden. But would decreasing ERU unit size involve more administrative effort and costs? What is the proper balance between simplicity and equity?
- The revenue need includes an extra \$150,000 for administration and adjusting for uncollectable accounts, credits, and bad debt. But do these really represent added revenue need, or can fees be adjusted to compensate for the shortfall?
- How would the credit system work and how would exemptions be handled? Is an audit of all properties needed in order to determine which parcels should be extended a credit or exemption, and how much? How would credits be measured and implemented by audit in advance? It was noted that a user fee system can be tailored to meet the Town's needs, taking into account the costs and effort required to identify the credit and exemption eligible parcels. Exemptions may be identified early on and be much fewer in number. This would be addressed in the next phase should the user fee option be pursued.

- Some SC members noted that there was a general lack of concern and knowledge on the stormwater issues among the public. The level of public awareness on impacts and costs must be increased, and an education campaign is needed to raise support for added funding.
- Zoning and Planning Board members would require training.
- Bristol is not fully compliant with the MS4 permit requirements. For example, an Annual Report has not been filed since 2011 as required.

Implementation Plan, Future Policies and Model Draft Ordinance

There was insufficient time to review these topics in detail. They were addressed in the report but had not been previously presented to the SC. Consequently, very little additional comment was received. Several policy considerations were introduced, including the concept of establishing a standing Review Committee by ordinance with responsibilities to evaluate exemptions and credits appeals, and possibly be involved in a public process to review and consider any fee change that may be put forth by the administration prior to consideration by the Town Council.

Adjournment

The meeting concluded with an acknowledgement and thank you for the participation by all members. The input of the SC will serve to guide policy discussions in a future phase. A draft summary of the meeting will be provided to all attendees to ensure accuracy and completeness of the comments and feedback received. The members present were asked if they would be willing to serve on a similar committee should the Town Council decided to pursue an alternative funding mechanism. All agreed that they would be willing to participate again.

Russ noted that the Town Council will be apprised of the input provided by the SC and that the meeting summary would be included in a final revised report. Also, a stormwater webpage will be developed for the Town's web site as the final task of this phase. SC members may obtain updates on the stormwater management program, and progress on this initiative may be tracked in the future, by visiting the site.