

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting held

September 17, 2020

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the **Dennis Water District Board of Water Commissioners on Thursday, September 17, 2020 at 10:00AM originally scheduled to be held in the Stone Hearing Room, Dennis Town Hall, 685 Route 134, South Dennis, MA 02660** will be physically closed to the public and conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the town's website, at www.town.dennis.ma.us . For this meeting, members of the public who wish to watch the meeting may do so in the following manner: The meeting will be televised via Dennis Channel 18 on Comcast or on the web at <https://www.town.dennis.ma.us/channel-18/pages/live-stream>. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on <https://www.town.dennis.ma.us/home/pages/agendas-minutes-videos> a video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting

A meeting, having been duly posted, was held this date at the Dennis Town Hall, 685 Route 134, South Dennis and called to order by Paul F. Prue, Chairman at 10:03 AM. Water Commissioners Peter L. McDowell. Also in attendance were David Larkowski, Superintendent.

The Pledge of Allegiance was recited.

Public Information

Verbatim: Mr. McDowell requested that the data on nitrates that the Superintendent has maintained for the Dennis Water District. We have 22 water wells and 18 of which have been in place since 1993 and this is relevant to the measurement of nitrates. That is a certain kind of fertilizer relevant to estuaries. We are getting into a wastewater situation and the Water District I'm not going to get into that. However, David has maintained every single year since 1993, nitrate a schedule and a layout of nitrates for every year for every well for all 22 wells that we have now, 18 of which have been in place since 1993 since the Dennis Water District, along with every other public water, drinking water supplier that the Department of Environmental Protection required annually a recording of nitrates. So it is a perpetual maintenance every single year for every well. Mr. Chairman, Dennis, Dennis Water District has 22 wells, 18 of which have been in place since 1993, and it's interesting as since for the last ten years at least, that of the 18 wells that we have that have been in place since 1993, at least half or more than half of those wells have had less nitrates than they ever did, than they did in 1993 from our record. This past year, in 2020, that we had 14 of our 18 wells has less nitrates. Now, why is this important? Why am I raising this point and I'm going to request David if he can put in, in appropriate fashion, this printout on our website for the Dennis Water District so that it'd be available for anyone to see and witness the fact that the nitrates that are being discharged are less than it was in 1993. And basically, this is a relevant to wastewater we are about to face within the next year and I understand, that there's going to be one of the most horrendous pieces of legislation. One of the most costly pieces for wastewater in Dennis. It's going to be more than a billion-dollar deal and one of this has been motivated primarily because of nitrates. And I think the public, and I'm hopeful that they'll be more, much more public discussion because lots and lots of questions as we as basically this is going place nitrates into, its going to be discharged from three towns into our Swan River natural resource. Which smelled with a minor thing called sea lettuce. Now all the sewerage is collected from both Dennis, Yarmouth and Harwich that is discharged, that doesn't go back to the particular towns,

will be discharging this and the odor it could be as a potential it's got to be discussed. And it's got to be discussed by people far beyond me, but there's got to be experts tell us as to tell us whether and nitrate is going to be a heavy measure. However, Dave, I don't want to spend any more time with that. However, David, if you could prepare something that could that maybe shows of the wells, maybe a different color or whatever. If there is some way (inaudible) that someone would be able to go up on the website and see how many wells and what the readings were for any particular well that they might have interest in or all wells that we have in Dennis. Every one of our wells in Dennis is near and all of the septage is discharged in the same place where toilets are. And that all of our wells are north of the Mid-Cape Highway and they are all south of about where Hokum Rock Road would be, it depends where it is, where the well is located. The actual nitrate, it's amazing the fact is the nitrate levels in Dennis are going down and I think this is attributable to the quality and what the Board, what Dennis' Board of Health has been doing dealing with IA systems and the nitrates of the flushing of toilets. Every single toilet in Dennis, I guess its 99% at least, or maybe there's some I don't know, every toilet is discharged waste that is on their own site right where the toilet is and if there is any measurement of nitrate being a problem, it would not be going down here in Dennis, it is. And I think the Board of Health, in what they've done with the IA systems and the administration of how that works, deserves to be credited with this, but it is to be monitored so that anybody can look at it for whatever reason. Thank you Mr. Chairman.

Chairman Prue: Not only that Peter, we've been purchasing property to protect our water supply. And I think that's had (inaudible).

Mr. McDowell: And yes basically the issue here is, and the reason I ran for water district back in 2008 or whenever that was, it was because of wastewater because we were going to get in to it. Fortunately, and I've been very happy that drinking water and wastewater didn't get mixed up with our Water District and the Town is doing it. And, but, it is interesting that our nitrate issues are going down, not up. If the voters, when they go to vote, this is going to be, once they vote there is no returning, reversing that. It'll be pipes, all the septage going to be discharged, collected and discharged and a facility. And there's all kind of data I can get into about that. I'm not going to do that this morning. This is a water district meeting and I apologize for taking the time but I wanted to acknowledge the quality of this data that David has been taking and if he can put it on the website so everyone will be able to see it and understand it.

Chairman Prue: David, perhaps while we are compiling our annual report maybe that could be slid in there this time. What do you think?

Mr. Larkowski: So this isn't on our meeting to discuss today, but I can certainly work on some information and maybe design a page and bring it on to another Board meeting as an agenda item to discuss further and try to explain it.

Mr. McDowell: Excellent, excellent. Thank you very much David. One more thing, if I may, I apologize for this. Front page of the Cape Cod Times this morning is a picture of a gentlemen, Zenas (sp?) who is the Executive Director of the Barnstable Clean Water Coalition. And basically, there is a statement that says here, "we have known for many years the septic systems across the Cape are dumping waste into the bays and ponds of the region that depends on tourism". Mr. Chairman, our wastewater facility is going to collect our toilet flushings from all three towns and deposit it into, and after processing the residue will go in to the Swan River natural resource and we all know what happened with Swan River in the recent years until it was dredged up from a minor thing called sea lettuce. The Swan River natural resource is a very sensitive place and I think what we could actually be doing is creating a horrendous, a horrendous, disservice to everybody who lives in that because if you have three towns' of flushings, whatever the quality of the nitrate, which I understand is the case, relevant to estuaries, whatever the case is, that wastewater we may be a very solid reason for us to say no and if we vote no, we not only protect that, but a savings of billions of dollars because this goes forever.

Consider voting to acquire by eminent domain as authorized under Article 4 of the Annual District Meeting held June 23, 2020, three parcels of land identified as 635, 635A and 636 Old Bass River Road.

The order of taking has been prepared so that the Board can take the property by eminent domain.

On a motion made by Peter L. McDowell, and duly seconded, the Board **UNANIMOUSLY VOTED: to take by eminent domain three parcels of land described as: 635, 635A and 636 Old Bass River Road, South Dennis, MA 02660. Shown as Lots 1 and 2, On the Plan Entitled, “PLAN OF LAND IN SOUTH DENNIS, MA 635, 635A & 636 OLD BASS RIVER ROAD” PREPARED FOR: DENNIS WATER DISTRICT, SCALE: 1” = 50’, AUGUST 10, 2020, DEMAREST LAND SURVEYING, 338 MAYFAIR ROAD, SOUTH DENNIS, MA 02660, and to be recorded as voted under Article 4 of the Annual District Meeting held June 23, 2020, and to record this purchase by eminent domain, with the consent of the supposed owners being Grant W. Devine, Trustee of the Dennis Old Bass River Realty Trust, under Declaration of Trust dated January 22, 2018, and recorded with Barnstable County Registry of Deeds in Book 31046, Page 89, Grant W. Devine, Trustee of the Joshua Howes Family Realty Trust, under Declaration of Trust dated July 25, 2017, and recorded with said Deeds in Book 30673, Page 41; and William J. Devine, Trustee of the Josiah Hall Family Realty Trust, under Declaration of Trust dated June 29, 2018, for water supply protection purposes and under such terms and conditions as the Board of Water Commissioners deems in the best interest of the District. Said property to be under the care, custody and management in control of the Board of Water Commissioners recorded and to enter into all agreements and to execute any and all instruments that may be necessary or convenient on behalf of the District to affect such acquisition.**

Consider signing Limited Power of Attorney for Attorney Pamela Marsh for closing on land acquisition on Old Bass River Road.

This action would allow Attorney Marsh to work on the Board’s behalf and would not require the Board member to attend the closing, although, it would not prevent them for attending the closing. Mr. McDowell said he would decline any signing or granting of his power of attorney as an elected official of Dennis. He said that whatever needed his signature he could do in person. Mr. Larkowski read from the document that in essence provides just a single action of authority to sign the closing documents on behalf of the Board.

Mr. Tuttle joined the meeting at 10:17AM. Mr. McDowell said he never would not grant his power-of attorney as an elected official. Mr. Larkowski reminded the Board that at least two members will have to be present to sign without the limited power of attorney. On a motion made by Alan Tuttle, and duly seconded, the Board VOTED: 2-1-0 (PLM) to grant a limited power of attorney to Attorney Pamela Marsh for the closing on the land to be acquired on Old Bass River Road.

Update on Tank Painting and Maintenance Projects

Mr. Larkowski provided an update on the progress of the Route 134 Tank project. The tank has been power washed and they are working on the roof as of today. Weather is always an issue and he was pleased that the contractor was able to get an early start. He expects to drain the tank next week. He did talk about power washing the Hokum Rock Tank last month and he was asked to estimate what the cost savings is for having District personnel to do the work and with renting the equipment. He estimated that a contractor charges about \$2.00 a square foot. The tank is 29,000 square feet, so he estimated the cost at about \$60,000. The District did it for under \$10,000.

Superintendent's Report

Mr. Larkowski advised that a car accident took out a hydrant on Lorrington Ave in West Dennis several nights back. While he had not calculated the water loss yet, he said it was several hundreds of thousands of gallons because it took a while to shut down the main. One of the reason it took so long because of the volume of water in the immediate vicinity and had to go to a larger area and even then they did not shut down tightly. He said that this is how we find areas that we identify where a bunch of valves did not operate properly. There are valves in the system that will have to be worked into a plan so that they can be repaired by scheduling the work and line stops. He wanted to bring forward that the system is ageing and needs work. Mr. McDowell said he had no problem with replacing valves that are inoperable however, he had reservations about replacing them on a certain road or a certain neighborhood. Mr. Larkowski said that this type of replacement work is expensive. Mr. McDowell asked about the covers of the gate valves that get depressed in the roadway, that the Superintendent might inquire as to what could be done to install a plate of steel that could stand up to the pounding. He wanted there to be some sort of solution.

Next Meeting – October 15, 2020 – The meeting needed to be changed because the Stone Hearing Room is being used for early voting.

Adjournment:

On a motion made by Alan Tuttle, and duly seconded, the **Board UNANIMOUSLY VOTED: to adjourn the meeting at approximately 10: 41 am.**

Respectfully submitted,

Sheryl A McMahon, Clerk