

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting held

June 25, 2015

A meeting, having been duly posted, was held this date at the Dennis Police Department, 90 Bob Crowell Road, South Dennis and called to order by Paul F. Prue, Chairman at 6:00 PM. Water Commissioners Charles F. Crowell and Peter L. McDowell were present. Also in attendance was David Larkowski, Superintendent and Sheryl A McMahon, Treasurer.

Public Information

Mr. McDowell attended the 208 report held by the Cape Cod Commission in Harwich which was well attended. He said that Mr. Neidzwiki, Executive Director of the Commission frequently noted throughout the session of finding opportunities that would reduce costs and save money by not doing things that were not necessary.

Superintendent Updates:

Water Management Withdrawal Permit Renewal: There is a proposed reduction in the total permitted withdrawal for not only Dennis but all Cape water utilities. Barnstable County Water Utilities Association hired an attorney who sent a letter on behalf of the Association requesting a 120-day extension. The letter named every water supplier on Cape Cod. Each water utility is also submitting their own extension request. No one has heard back yet. Mr. Larkowski has drafted the District's extension letter to DEP. He will be providing copies that letter to the Governor, legislators and others. When he goes before DEP our position will be that there is no science behind the proposed reduction. There are several reports that indicate that there is plenty of water on the Cape. He is working with Mark Owen of Earth Tech [AEComm], hydrologist who has worked with the District for years in identifying new wells. Mr. Larkowski is discussing with Mr. Owen on hiring him to submit a letter of support as a professional hydrologist on behalf of the District to submit to DEP. Mr. McDowell asked if there is a role in the Commissioner's participating together with others in questioning and justifying the reduction. Mr. Larkowski said that he very much hoped that Commissioners would participate in the political process when it involves the District specifically. Mr. Larkowski said that to date all has been received is the Water Needs Forecast and given the water suppliers an Order to Complete. Chairman Prue said that he had a lot of confidence in Mr. Owen providing his opinion in support.

Solar Field Net Metering Credit Revenue: Mr. Larkowski said that he and Ms. McMahon had met with the Town a couple of times in order to understand how the net metering credit payment is calculated. There is one meter for the 3MW at the solar field assigned to the District, DY and the Town. We now get a credit of .19457 per kWh less .0615 for the power purchase agreement. The Power Purchase Agreement (PPA) is for the builders (owners of the solar panel) to purchase the power produced. There are two other minor charges. Cape and Vineyard Electric Cooperative was hired by the Town for the first year in order to set up and monitor the agreement payments. The setup fee was \$5,000 and the District's will be assessed \$833.33 which represents 1/6 of the total. We also will pay 1/6 of the \$500 monthly fee which equals \$83.33. The net payment is 0.13307 kWh times the power output. An amendment was initiated by the Town to make clarifications on the rate in the PPA as .0596 kWh and the other was to re-assign the ratio assigned to the DY Regional School District. The difference will be assigned to the Town of Dennis. On a motion made by Peter L. McDowell and duly seconded, the Board **UNANIMOUSLY VOTED: to accept the amendment to the Intermunicipal Agreement with the Town of Dennis for the purchase of solar net metering credits and authorize the Superintendent to execute the appropriate documents.**

Not included on the agenda was a last-minute item that was not known or available at the time of the posting of the meeting. AT & T Lease First Amendment: This is the first amendment to their lease contract. Mr. Larkowski and Ms. McMahon have been negotiating with the lessor on specific terms within the original lease. AT&T has sought to extend the contract terms. This was approved at last year's Annual District Meeting. The contracts increase by 3% and 5% annually. Another item negotiated was the lessee's responsibility and at their cost to remove their equipment in order for the District to perform painting and maintenance work on the tank. The notice is 120 days. There will be no interruption of cellular customer service but, we have to provide space on the scaffolding for their equipment.

On a motion made by Charles F. Crowell and duly seconded, the Board **UNANIMOUSLY VOTED:** *to approve an extension of the terms and conditions of two lease agreements with New Cingular Wireless PCS, LLC (originally AT&T) by extending the lease for twenty years by adding four 5-year automatic renewal terms, grant additional lease space for the installation of equipment as shown in Exhibit "1-A" for an additional monthly lease payment of \$250, and that the District provides a minimum 120-day notice for the lessee's temporary removal of equipment from the water tower for maintenance and repairs to the water tower at no cost to the District; and further, to authorize the Superintendent to sign the contract amendment on behalf of the District.*

Easement on Great Western Road for Transmission Main Installation

Mr. Larkowski reviewed the final draft of the taking of the easement for water main installation on Great Western Road. The terms and conditions of the deed were agreed upon with the owner Robert Childs and have been reviewed by counsel. The taking by eminent domain is to prevent any possible future claim by an owner that would result in returning the easement to the owner. If there was ever to be a different owner declared by a court, they would only receive monetary compensation for the easement.

On a motion made by Peter L. McDowell and duly seconded, the Board **UNANIMOUSLY VOTED:** *that in accordance with the vote taken at the Annual District Meeting held April 28, 2015 to accept an easement from Robert Childs, containing .36 acres, ore or less, at 169 Great Western Road, South Dennis, for water distribution purposes in exchange for nominal consideration of \$30,000 and further; to record a confirmatory Order of Taking by Eminent Domain for same.*

Treasurer's Report

Ms. McMahon reported that the reading cycle for the August water bills was recently completed. This billing is for the usage for January through June of 2015.

She reported that staff was wrapping up the end of the year transactions and that at this time she did not anticipate any need to request a Reserve Fund transfer for any accounts in deficit.

The auditor has been on-site for a couple of visits and will be returning again for a brief visit for accounts payable testing and exit interview wrap up. The Board's review with the auditor will be on August 27.

Draft Policies and Procedures:

a) *Meter Reading: Handheld Reading Devices, Processing Reading Route Data for Billing:* – a partial draft was submitted. Additional work to be completed on data validation and processing bills for the printer.

b) *Procurement of Supplies & Services* – Ms. McMahon explained that these are primarily derived and closely follow the guidelines established by the Inspector General's office. Additional work is pending for the internal procedures such as when purchase orders are required and who is authorized to issue them, etc.

Minutes:

On a motion made by Charles F. Crowell and duly seconded, the Board ***UNANIMOUSLY VOTED: to accept the minutes of May 28, 2015, as corrected.***

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On a motion made by Peter L. McDowell, and duly seconded, ***the Board UNANIMOUSLY VOTED: to adjourn the meeting at approximately 6:46 PM.***

Respectfully submitted,

Sheryl A McMahon, Clerk