

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting held

July 28, 2016

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 with Water Commissioner Peter L. McDowell present. Also in attendance was David Larkowski, Superintendent and Sheryl A McMahon, Treasurer.

The pledge of allegiance was recited.

In Memoria: Transfer of Charles F. Crowell's Water Commissioner's Chair to Mrs. Joan Crowell.

Chairman Prue asked that Mrs. Crowell come forward. She stood behind Mr. Crowell's Commissioner's chair. Chairman Crowell acknowledged the many accomplishments that the District had achieved over the 28 years that Mr. Crowell was a member of the Board. He also shared a story about how he and Mr. Crowell over the years attended several water work association meetings in which the District received various awards. He mentioned how proud Mr. Crowell was of the District.

Mr. McDowell said that he had known Mr. Crowell for nearly seventy years when they were young children. He said that while Mr. Crowell did not speak often, he thoroughly understood the issues. Although it had nothing to do with Mr. Crowell's service as a Commissioner or Selectman, he shared a photo from Mr. Crowell's Yarmouth High School year book of 1954. Mr. Crowell had been voted "most dignified male" of his graduating class and as "class genius".

Mrs. Crowell thanked the Commissioners for their words and accepted the chair on behalf of Mr. Crowell and his family.

Public Information:

Alan Tuttle announced his candidacy for Water Commissioner to fill the unexpired term.

Reconsider Number and Locations of Polling Places for Special District Meeting to be held December 6, 2016.

Theresa Bunce, Town Clerk advised the Board that she had spoken with the Elections Division and has been advised that state regulation prohibit the combining of precincts at a polling location if the number of registered voters exceeds 3,000. She confirmed that the District could reduce the polling hours to no less than four with a start time no later than 12:00 (noon). Ms. McMahon confirmed that the estimated cost at \$8,739 plus other incidental costs. She anticipated it to be less than \$9,000. Ms. Bunce advised that if the polling place is changed, it would require the mailing of post cards to every household in the affected precincts notifying them of the change in voting location. On a motion made by Peter L McDowell and duly seconded, the Board ***VOTED: to set a special election to fill the vacancy left by Mr. Crowell for December 6, 2016, that the polls at all five locations be open at noon (12:00 PM) and close at 7:00 PM.***

West Dennis Tank Project Update

Mr. Larkowski advised that he has been working with the District's consulting engineers and finalizing plans for the construction of the new tank in West Dennis. The plans are in his office for review. He reported that the well driller had done three holes with one being to 100 feet. They found that the soil conditions are on the lower end for stability. They discovered that the soil condition is close to being considered "liquid". What is meant by that is that under conditions such as an earthquake, the soil does not remain solid but moves and is considered "liquid". It means that the foundation will have to be further engineered to accommodate a structure as large as the water tank. He further reported that Comprehensive Environmental, Inc. is consulting with the three major contractors in anticipation of a more substantially constructed foundation. It will likely add a considerable amount to the construction cost but, a specific number is unknown at this time. There is groundwater present but, the references to the term "liquid" is related to the soft, sandy soil conditions.

Consider issuing Request for Proposals for Third Cell Carrier on Route 28 Tank (new).

Mr. Larkowski noted that the District has filed for its Federal Aviation Administration and Department of Environmental Protection permits. He anticipates issuing the bid in September. He further advised that he has been in communication with Verizon due to their interest on being present on the new tank. Mr. Larkowski confirmed that the design of the new tank is being done to accommodate the installation of cellular communication equipment for as many carriers as possible. He has been consulting with the two current carriers to ensure that we have all the design features necessary. He anticipated issuing a Request for Proposals for a third carrier in the month or so. The new tank will be able to accommodate the four major carriers.

Update on status of MHC Airline Mobil Home Land Court petition for land off Old Chatham Road (abuts District property).

The Superintendent advised that that MHC Airline Mobil has hired a new attorney who has reported that they believe they have discovered, through title examination, of the record owners of the property that MHC has laid claim to in the Land Court petition that is still pending. They are apparently all deceased. Mr. Larkowski noted that a number of title exams have been done previously by various people with no such identification. MHC believes it may be possible to find the descendants of those owner's and purchase their interest. The land in question is proposed to be swapped with the District for the three acres of District land that the mobile park currently occupies (under an easement). Mr. Larkowski suggested that the Board advise MHC that any consideration of the land swap the swap will not be undertaken until such time as the District is satisfied with the identification of the supposed owners and the acquisition of title by MHC.

The Board reviewed the time line concerning the swap of the land and the termination of the easement. Mr. McDowell said that their information on the title would have to be disclosed and reviewed by legal counsel to determine if it is worthy of the Board's consideration. The easement expires in 2021. When the District took land (green belt) in the 1980's it was discovered that Airline Mobile was occupying approximately three acres and the District occupied a small portion (access road) across Airline Mobile's land. An easement was granted to the mobile part for a certain amount of time. Owners have changed and a new agreement was written with the new owner in anticipation of the land swap which was going to be approximately a two-for-one (acre). If MHC is unable to acquire ownership by the expiration of the easement, they will have to remove any and all structures from that area. Mr. Larkowski suggested the following as a motion for the Board to adopt:

I move that the Board authorize the Superintendent to formally advise MHC Old Chatham, LLC (MHC) that the Board has been apprised of MHC's alleged discovery of record owners (deceased) of the four lots containing approximately 6 acres off Old Chatham Road. It is understood that it is MHC intends to identify the descendants and to acquire the title interests. The Superintendent is to advise MHC that the Board will not agree to an exchange of property unless and until the land to be conveyed has good, clear record and marketable title that is satisfactory to the Board and that the land may be taken by eminent domain by the District with the consent of MCH.

On a motion made by Peter L. McDowell, and duly seconded, the Board VOTED: to authorize the Superintendent, with the assistance of the Clerk, to prepare an appropriate letter addressing the issues as outlined [preceding discussion].

Superintendent's Report

The Superintendent reported on current pumping statistics. In the month of June the District pumped 183 million gallons, exceeding the previous high (1999) by 1 million gallons. He estimated the pumping for July will be 223 million gallons. Previous highest July (2010) was 225 million. Average for July for the past 25 years is 194 million.

Mr. Larkowski commented that in the news media it is being reported that we are in a slight rainfall drought. On the Cape, that does not appear to be true. Groundwater levels are monitored via an USGS monitoring well in Brewster. At the end of July, that well will be at 59%. Despite the warm weather and only average rainfall that well is above average. The Cape is currently 5.19 inches above average for the first six months of the year and July is just slightly above average.

However, Mr. Larkowski said that from his perspective as Superintendent, the new tank will not be built fast enough. He said that the way people are using water now is incredible because it is being used early in the morning and way too fast meaning that the water levels in the tanks drop very fast and all pumps turn on in response. He said we have enough water in a 24-hour period to accommodate the demand but, the draw is too much all at the same time. He has seen the tank in West Dennis drop to 13 feet which is very low. He was concerned it might go dry. Mr. McDowell asked if the new transmission main recently installed has made a difference. Mr. Larkowski confirmed that the new main did make a difference. He said that it will take nearly two years to have the new tank on line and that the additional 500,000 gallons will be very helpful in meeting the demand. He also suggested that in the future the District may want to produce some educational-type outreach to customers about the timing of irrigation systems and how it impacts the demand on the system. Mr. McDowell suggested that the District may want to approach lawn irrigation companies about the timing of systems.

Treasurer's Report

Chairman Prue asked about the cash position. Ms. McMahon reported that cash on-hand is being quickly depleted due to large amounts due in the early part of the fiscal year such as Retirement Assessment, Property & Casualty and Worker's Compensation premiums, debt service, etc. Receipts from the August water bills will replenish her cash position.

There was a short discussion about the issuance of the water bills (August and February). Ms. McMahon commented on the Board's support to purchase a new meter reading system. She stated that the efficiency of the new system is greatly appreciated by staff and by those employees reading meters.

Solar Revenue FY 2016 – Ms. McMahon provided an update on the net meter credit revenues received from the Town of Dennis. A total of \$95,953 was received compared to the \$70,000 estimated. She noted that the monies received to date cover the period June 11, 2015 through April 11, 2016. Ms. McMahon noted that she will include a notation on subsequent reports which will represent the percentage of power represented by the net metering credits and the total power used by the District.

An unanticipated topic was brought to the Board's attention by Ms. McMahon. Nearly all transactions with the Department of Unemployment Assistance is accomplished electronically. The District files its reports quarterly. As such, the Treasurer was not aware that a claim for unemployment benefits has been filed and approved by DUA. The amount due is approximately \$19,000 to be paid out over thirty weeks at approximately \$635 per week. Ms. McMahon requested that the Board transfer \$3,200 to cover one month's worth of claims currently due. On a motion made by Peter L. McDowell and duly seconded, the Board ***VOTED: to transfer \$3,200 from the FY 2017 Reserve Fund for the payment of unemployment compensation due to the Department of Unemployment Assistance.***

Adjournment

On a motion made by Peter L. McDowell, and duly seconded, ***the Board VOTED: to adjourn the meeting at approximately 6:55 PM.***

Respectfully submitted,

Sheryl A McMahon, Clerk