

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting held

January 18, 2007

A meeting, having been duly posted, was held this date at the main offices at 80 Old Bass River Rd., S Dennis. The meeting was called to order by Edward A. Crowell, Chairman at 4:00 PM. Water Commissioner Paul F. Prue and Charles F. Crowell were present along with the following District officials:

David Larkowski, Superintendent
Sheryl A. McMahon, Clerk & Treasurer

Superintendent Larkowski advised the Board about the December Bacteria Violation Notice that was published in the newspaper as required by the Department of Environmental Protection. The violations was for exceeding 5% of the monthly samples that were too numerous to count. No E-coli bacteria were found. As soon as the high backgrounds were detected, chlorine was added to the water supply and the system continues to be chlorinated.

Mike Ohl of Earth Tech, Inc., joined the meeting and presented an overview based on the discussion that occurred during the initial presentation on Iron and Manganese Removal in December. The total costs for the project would include a slab-on-grade metal building for two treatment facilities, green sand filtration process, and water main installation.

A lengthy discussion ensued regarding the public process for approving the funding authorization for the Iron & Manganese Removal Project. Ms. McMahon stated that the requirements laid out by the State Revolving Fund (SRF) Loan Program prohibit the District from acting as its own general contractor. She further advised that, based on a \$15 million dollar project, the cost savings to the District by acting as its own contractor was no where near enough to overcome the interest costs that would be saved over the life of the loan between the SRF rate at 2% and the market rate (currently 4.5%). The difference would cost the ratepayers millions of additional dollars in interest costs.

The Superintendent and Treasurer reviewed the line-item operating and maintenance budget for FY 2008. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to approve a budget for the operations and maintenance of the District, including payroll, in the amount of \$2,640,436.***

Mr. Larkowski provided an update on the District's appeal of an award of benefits made by the Division of Unemployment to Robert Andrews. Mr. Andrews had been dismissed in May 2006 due to violations of the District's Personnel Code. The case had been heard in Orleans District Court. Attorney John C. Creney presented the District's arguments. The decision rendered by Judge Welsh was in favor of Mr. Andrews. Ms. McMahon stated that the error made by the District was in not understanding that the administrative appeal hearing was the point at which the District should have submitted all of its evidence in support of the termination. It had been assumed that all of the documentation previously submitted would have been brought in to the administrative appeals process. Once that hearing was closed there was no longer an opportunity for the District to provide the original evidence or rebuttal evidence. She advised that should their

be an similar cases in the future, she and the Superintendent would seek legal counsel's assistance.

Ms. McMahon and Mr. Larkowski advised the Board that there had been limited discussion at the last CWMP Task Force meeting since the passing of Selectmen Don Trepte. Mr. Trepte had also served as Chairman of the Task Force. A successor had not been chosen at the last meeting. Mr. Larkowski advised that an additional \$100,000 would need to be raised in FY 2008 to meet the funding needs for the Massachusetts Estuaries Program.

Ms. McMahon advised the Board members that she had received a delivery of 5 cases of colored paper for the printing of the semi-annual newsletter. The boxes were damaged during delivery and the supplier said that the cost of freight makes shipping it back to the plant prohibitive. Therefore, they request that the paper be donated to a charitable organization or school. The color was a bright green. Ms. McMahon had the paper delivered to the Ezra H. Baker School. A letter of appreciation for the donated paper was received from Kevin Depin, Principal.

The Board of Water Commissioners noted that Ms. McMahon has received her re-certification as a Massachusetts Municipal Treasurer. Ms. McMahon noted that she was the second District Treasurer to be certified when the Association first began allowing district treasurers to be certified by the program. She is the longest serving District Treasurer to be so certified in the State and has also served as the Association President.

Mr. Prue discussed his attendance at the Massachusetts Municipal Conference. He found it very informative and the networking interesting and beneficial.

With no further business before the Board, the Commissioners signed the Accounts Payable Warrants and on a motion made by Charles F. Crowell, and duly seconded, adjourned their meeting at approximately 5:13 PM.

Respectfully submitted,

Sheryl A. McMahon, Clerk