

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting held

September 11, 2008

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 4:02 PM. Water Commissioners Paul F. Prue and Charles F. Crowell were present along with the following District officials:

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

Paul McCormick, Selectman, Chair CWMP Task Force
Brian Malone, Director of Natural Resources, Town of Dennis

Ms. McMahon advised that the Department of Revenue requires the Board of Water Commissioners to hold a public hearing on whether or not to shift a certain portion of the tax rate on to other categories of property. One example would be to shift the tax rate by 10% by lowering the taxes on residential property and increasing it for commercial property. She advised that the Board of Selectmen voted at their August 26 Public Hearing to set a tax classification factor of 1 for the Town's property tax assessments. Ms. McMahon explained that, since commercial properties make up just 6% of the total tax valuation and residential properties about 93%, any shift from residential to commercial would mean that the entire savings for residential properties would have to be assessed to the commercial properties. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to adopt a residential factor of 1 for all classes of properties.*** On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: not to grant a discount to the open space class.*** On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: not to grant a residential exemption discount.*** On a motion made by Edward A Crowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: not to grant a small commercial exemption.***

Chairman Crowell recognized Brian Malone, Town of Dennis Natural Resources Director. Director Malone reviewed with the Commissioners a draft report entitled "*Wildland Fire Protection and Preparedness Plan for Green Belt Well Field Dennis, MA.*" The County Extension service contracted with a consultant to evaluate municipally held lands throughout Dennis that may be susceptible to wildfires. Mr. Malone was seeking the Board's approval of the plan and a letter of support for the application of grant funding of up to \$25,000 for preventative work in the Green Belt area. He explained that the underbrush is what feeds fire up to the canopy. By clearing the understory with either mechanical equipment or prescribed burning, it eliminates the fuel source which spreads wildfires. There are three areas identified in the Town in addition to the Green Belt area. His department intends to file a grant application for the funding machinery and labor to do mechanical removal such as brush cutting and fallen debris removal. Mr. Prue thought that the author of the report had done a comprehensive report and found it very informative. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to adopt the "Wildland Fire Protection and Preparedness Plan for Green Belt Well Field" report and to send a letter of support to the Board of Selectmen with the condition that any actions taken as a result of adoption of the plan be***

limited to mechanical removal of vegetation and that any burning of any kind on District property must be approved by the Board of Water Commissioners.

Ms. McMahon reviewed a possible Leak Abatement Request by Mary Cremins of 12 Arrowhead Drive, West Dennis, 06080. She explained that the owner has complained (at the District office) about the amount of water she was recently billed. Mrs. Cremins' meter was replaced in early August. A search for the old meter to verify the reading was unsuccessful. With no evidence to support the reading, or the ability to test the meter should the owner request it, Ms. McMahon forwarded to the customer a Leak Abatement Request Form. To date, Mrs. Cremins has not submitted the completed and signed form. However, Mrs. McMahon was confident that the customer would seek the abatement and requested that the Water Commissioners approve the credit as calculated under the Board's Leak Abatement Policy as calculated. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to authorize a credit in the amount of \$207.25 to the account of Mary Cremins, 12 Arrowhead Drive, West Dennis, Account 06080, in accordance with the Board of Water Commissioners' Leak Abatement Policy pending receipt of a signed application form.***

Ms. McMahon reviewed a report by Stearns & Wheeler entitled "Tax-Title Properties as Possible Sites for Wastewater Lift Stations". The report was commissioned by the Board earlier this summer when it was learned that the Town of Dennis was considering the disposal of a number of parcels held as tax title possessions. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to accept the report on the possible use of tax title possession properties held by the Town of Dennis and to request of the Board of Selectmen that they do not proceed with the disposal of those parcels identified in the report as possibly serving as a site for wastewater infrastructure.***

The Superintendent advised the Board members of the progress being made by District personnel on the installation of the transmission mains for the Iron and Manganese Treatment Project. He stated that approximately 19,577 linear feet of mains have been installed. He further advised that Kinsmen Corporation is progressing in accordance with the contract time lines. There are three lagoons. The two upper-lagoons will be lined and full of water all the time where the iron will settle out. The excess clean water goes into the third lagoon where the water leaches into ground.

Mr. Larkowski explained a request for a contract Change Order in the amount of \$1,893.71 as recommended by the project engineer Earth Tech, Inc. He described the Change Order as a compilation of several modifications to be made. The most significant change was the installation of a sink in both the north and south facilities. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to approve Change Order #1 in the amount of \$1,893.71 to Kinsmen Corporation as recommended by the consulting engineer Earth Tech, Inc.***

Paul McCormick, Selectman and Dennis' representative to the Cape Cod Water Protection Collaborative reported that he attended the meeting on September 10. Senator Robert O'Leary will be setting up meetings with Boards of Selectmen around the Cape to inform them of the potential for zero interest loans for wastewater projects. Mr. McCormick thought that since the District was seeking authority to undertake wastewater planning, Senator O'Leary should meet with this Board. The Water Commissioners agreed.

Ms. McMahon advised that she has been working with Nate Weeks of Sterns & Wheeler, Attorney John Creney and has been in contact with Stephanie Cox, Legislative Aid to Representative Cleon Turner regarding the drafting of the legislation for the District to be authorized to assume the responsibility for wastewater planning and infrastructure in the Dennis.

With no further business before the Board, the Water Commissioners signed the Accounts Payable Warrants and on a motion made by Paul F. Prue, and duly seconded, ***UNANIMOUSLY VOTED: to adjourn the open session of the meeting at 5:11 PM and to convene an Executive Session for the purpose of discussing strategy for ongoing litigation in accordance with Chapter 39, Section 23B (3) and not to return to open session upon its conclusion. The Chairman having called for a roll call vote which was recorded as follows:***

Edward A. Crowell – Yeah

Paul F. Prue – Yeah

Charles F. Crowell – Yeah

For the record, the Executive Session was adjourned at 5:20 PM.

Respectfully submitted,

Sheryl A. McMahon, Clerk