

# DENNIS WATER DISTRICT

## *Board of Water Commissioners*

Minutes of Meeting held

February 9, 2012

A meeting, having been duly posted, was held this date at the Dennis Town Hall, 475 Main Street, South Dennis. The meeting was called to order by Paul F. Prue, Chairman at 4:33 PM. Also in attendance were Water Commissioners Charles F. Crowell and Peter L. McDowell and the following District official:

Sheryl A McMahon, Clerk & Treasurer  
David Larkowski, Superintendent

### **PUBLIC INFORMATION & COMMENT - NONE**

### **CUSTOMER ISSUES:**

A) Mr. Larkowski explained the circumstances surrounding the termination of water services to 73 & 75 Depot Street, Dennisport, There are two accounts for a duplex building, account numbers 14038 & 00125, for non-payment of water charges. It was discovered that the water service had been restored to the property without the District's authorization nor was payment brought current. Turning the water off or on at the street curb without the approval of the District is considered meter tampering and unauthorized use of water in accordance with MGL Ch. 165, Sec. 11 as amended. The owner, Mr. Mennini, confirmed that he did turn the water on because there was a house inspection scheduled and that he had done a person a favor by hooking up a hose to 75 Depot for a couple of weeks. However, he later discovered that that person had left and other people had ended up moving in and staying. This information was confirmed with the Board of Health. It was noted that the recent change in the statute provides for fines up to \$1,000 plus additional costs incurred. Mr. McDowell requested that Mr. Larkowski make a recommendation to the Board of a definitive schedule of fines to be assessed on first offense, etc. He did not believe the first offense should be as low as \$100 but something that could be incrementally increased if there were additional violations. On a motion made by Peter L. McDowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to assess a \$250 fine plus costs of \$165 to the owner of the duplex at 73 & 75 Depot Street, Dennisport, Account No. 14038 and 00125.***

B) Ms. McMahon reviewed an application for abatement in accordance with the Board of Water Commissioners' Leak Abatement Policy. On a motion made by Peter L. McDowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to abate 300,000 gallons due to an underground water leak at a cost of \$585 on the account of Larry Riley, 00706, 134 Taunton Ave, Dennis, in accordance with the Board's Leak Abatement Policy.***

## ***TANK MAINTENANCE PROJECT -- OLD BASS RIVER TANK***

The Superintendent provided an update on the scope of maintenance work that is recommended for the Old Bass River tank. He proposed to the Board that District personnel power wash, repair the “stone bruises”, primed and then two coats of paint will be applied. He stated that the bottom three rungs need to be power washed. The interior walls of the tank need to be power washed and cleaned due to iron build up. The inspector was hired to provide a professional recommendation as to the scope of work that would be needed. He further stated that four employees, in addition to himself, have attended classes in order to be certified as competent for rigging and scaling necessary for this type of tank maintenance. He anticipated that the work would be done during normal business hours with three to four employees working on the project daily. Of course, progress of the project will depend on weather conditions. He estimated it would take six weeks to complete. They will begin with the exterior work.

## **MEETING WITH BOARD OF SELECTMEN – LAND TRANSFER REQUEST**

5:03 The Water Commissioners met Board of Selectmen to consider action on a request from to place an article on the Annual District Meeting warrant for the District to convey approximately one acre of land to Town of Dennis at the intersection of Airline Road and Rte 134 and to seek special legislation under Article 97 of the state constitution for that purpose. Joseph Rodricks, Town Engineer made a very brief presentation on the traffic mitigation plan (round-a-bout) that is being proposed for that intersection. At a prior District meeting it was defeated but, there had been issues raised during debate on the article that the Selectmen had not considered other alternatives such as a 3-way stop. It was also noted that traffic signals as a mitigation option would also require additional land from the District. He also noted that the Town has already significantly encroached onto the District’s property. Mr. Crowell said that he would support placing the article on the District warrant but, that this was the last time he would do it because it has been on twice already. On a motion made by Charles F. Crowell, and duly seconded, the Board ***VOTED: 2-1-0 (PLM) to place an article on the Annual District Warrant to be held April 24, 2012, to transfer approximately one acre of land at the intersection of Airline Road and Route 134 for the purposes of traffic mitigation and to request that special legislation be filed in accordance with Article 97 of the State Constitution for that purpose.***

## ***EMERGENCY GENERATOR PROJECT***

Mr. Larkowski explained that the installation of the emergency engines which eliminated the need for the old standby-engines and other equipment. He felt that there may be a handful of interested parties and plans to advertise their sale. On a motion by Peter L. McDowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to declare the discontinued standby engines and appurtenant items as listed as surplus and to authorize the Superintendent to disposition in the best interest of the District.***

## **PRELIMINARY REVIEW OF FY 2013 BUDGET COMPONENTS:**

A) Revenue - Ms. McMahon reported that the water billing commitment for the February 2012 water bills combined with the August 2011 Water Billing represented approximately 99% of the actual water pumped for the calendar year 2011. She said that the revenue estimating is very accurate. If there was to be a change in the estimated revenue, it would require a change in the rates. The FY 2013 Budget as proposed by the Superintendent and Treasurer do not anticipate any rate increases. The consumption charges represent approximately 50% of the total revenues while the account charge is approximately 30%.

B) Other Available Funds - Ms. McMahon stated that the Stabilization Fund balance is approximately \$925,000. There has not been any contribution made to that Fund for a number of years. Chairman Prue noted that he would like to make a recommendation that additional funds be transferred to the Stabilization Fund further along into the budget process.

C) General Expenditures - Ms. McMahon reviewed the serial loan payments and the reduced appropriation. Safe Drinking Water Act was described as a fee assessed by the Department of Environmental Protection based on what the District pumps, not what is billed. The fee is assessed to each water account based on the usage. The difference is the responsibility of the District. The funds are encumbered because the bill is not received until the following June. Over the years, there has been a slight accumulation in that account, therefore, no appropriation is necessary for FY 2013. The Superintendent described the Cleaning of Wells and Pump Repairs. Mr. McDowell inquired as to the amount of the appropriation for the Household Hazardous Waste Collection. There was a discussion as to the merits of having additional collection days during the year.

#### D) Capital Expenditures –

1. Mr. Larkowski reviewed the purchase of a new 1/2 –ton truck, with equipment, anticipating that one 1/2-ton truck (2001) would be traded. Last year no trucks were purchased. Although the miles are low compared to the years of use, they are in-town miles and are used constantly.

2. Miscellaneous Equipment this year is a request for pipe finders (locators).

3. An additional \$100,000 is requested to add to the \$200,000 (over two years) previously appropriated for Maintenance and Power Washing of Tanks. This is a multi-year project.

4. A request for \$70,000 for two emergency generators will complete the project for supplying emergency power to certain pumping and treatment facilities.

5. The annual appropriation of \$25,000 for Green Sand Replacement was requested.

6. Mr. Larkowski reviewed his recommendation for a Transmission Main Project in order to supply additional water to Dennisport. He outlined the project as being in three phases over multiple years. He described the need for the water main installation in order to alleviate the vulnerability in Dennisport for loss of water due to severe storm damage. The water mains currently serving Dennisport cross bridges which are very susceptible to damage in hurricanes, etc. \$250,000 would allow him to begin working on the project. One of the first phases is to establish a route for the water main and it may require the acquisition of certain easements which may be on private property. He also said that the timing is good to install the water main down Depot Road beginning at Center Street. He estimated the entire project to be \$500,000 to \$600,000. It is work that would be done in-house with the primary cost being for materials. Approximately 11,000 feet of water main would be needed. There was a discussion about having the new main installed before the Route 28 bridge work is undertaken by the State. Mr. Larkowski will prepare a schedule.

7. Mr. Larkowski is proposing that the District appropriate funds to re-direct Wells 5 & 22 to a treatment plant in order to remove iron and manganese. Although Well 22 is one of the newest wells, it has seen a steady increase in iron. Well 5, which is high in manganese, was not included when the treatment plant was originally constructed because of the distance from the south plant. Manganese is currently considered a secondary contaminant (aesthetics) at .05 ppm (parts per million). Well 5 is the only finished water that exceeds that level. He believes that eventually the State will require water entering the system to be under .05 ppm. He said that the \$100,000 request is to begin the project with initial design, engineering, etc. Manganese is a common mineral, usually found in combination with iron. It causes a black or reddish-black staining. Regulators are concerned that exposure to high levels over time may cause neurological damage. Mr. McDowell asked if it was worth investigating the possibility of developing a well that did not have such a high level of iron or manganese. Mr. Larkowski stated that the District has pretty much

exhausted the sites for development of public wells. Prior to considering the construction of the two treatment plants, the District developed additional sources hoping that they would be “cleaner”.

#### E) Operating & Maintenance other than Payroll

Mr. Larkowski proceeded with the line item operating and maintenance budget. He provided a brief description of the budget expenses and. Electricity is one of the largest line items. He stated that the District is currently contracted for the price of power at 9 cents a kwh. The diesel expense was reduced by \$2,000 because the equipment is just not operating as much. Chemical expenses remained the same because no increases in the per-volume price were anticipated. Propane expense was level-funded because of new heaters installed although; it could be more because the new emergency generators operate on propane.

Maintenance of mains and hydrants will remain the same. It is difficult to anticipate when and if water mains will break. Legal expense was reduced because there are no pending cases at this time. An increase in printing and advertising was requested from \$8,000 to \$10,000. Office Supplies, Tools, Meters, Superintendent’s Expense, License Dues & Training, Safety and Substance Abuse Free Workplace expenses were all level-funded. Communications Expense was increased slightly to reflect the realized expenses such as web service, telephones, cell phones, answering service and CodeRED (\$3,000).

Group Insurance was decreasing by \$31,000 in anticipation of the new plan designs. The plans now have a deductibles and co-pays which related to a corresponding decrease in the total premium. The revised plans are in response to the Massachusetts Municipal Healthcare Reform Act. The District belongs to the Cape Cod Municipal Health Group which is a self-insured municipal pool. The Barnstable County Retirement Assessment is a fixed figure and is what it is.

Computer expense the same. Slight increase in Uniforms as the Superintendent wanted to purchase additional safety-yellow t-shirts so they can be replaced as needed. Water Quality Expenses was decreased due to the number and types of tests required. Repairs and Maintenance was level funded.

Overall projected increase in Budget was 1.03%, including the projected payroll recommendations.

#### **INVOICE FROM SCHOOL FOR MARINE SCIENCE AND TECHNOLOGY (SMAST)**

The Superintendent reviewed the invoice received from SMAST in the amount of \$109,750. The invoice represents work done on the Bass River Report for the Massachusetts Estuaries Project as well as other work in progress. Mr. McDowell objected to the payment of the bill. He said he does not believe the District has the

authority to expend the funds despite what the District's legal counsel has opined. Mr. McDowell recounted the District and Town votes to petition the legislature for statutory authority to provide wastewater. He stated that the District did not have the authority to get into a contract in the first place. He further stated that while he did not believe the Chairman and he probably did not have a problem, he said he believed Mr. Crowell did. He said he wondered if Board of Bar overseers if he consciously knowingly voted to expend these monies that are beyond the authority of this District, if that is in fact the case, he should be very sure of it, as it may be a serious issue. Chairman Prue said he recalled that two attorneys, Attorney John Creney and Attorney Tom Perrino have advised that it is legal to expend the monies for this purpose. He said he relies on the opinions of attorneys. Mr. Crowell said that the contract was signed, the work has been done and it has to be paid. Mr. McDowell asked the Board members why they had moved to petition the legislature to proceed and then at a meeting in November 2009 voted not to go forward with the legislation. Chairman Prue stated that the vote was taken during an open meeting and was based on information brought forward by the Board of Selectmen and that the Town was in at a better position to handle it. On a motion made by Charles F. Crowell, and duly seconded, the Board ***VOTED: 2-1-0 (PLM) to approve payment to School of Marine Science and Technology for completed work under contract for Mass. Estuaries Project and Water Quality Monitoring Year 3 for \$109,750.***

### **MEETING CALENDAR FOR 2012**

Ms. McMahon suggested meeting on March 1 to conduct regular business and then meet with the Finance Committee at 6:00 PM on March 22 (at Town Hall). She will post a meeting for the Board on the night of the Annual District Meeting (4/24/12). The regular monthly meetings will continue to be scheduled for the fourth Thursday at the Dennis Police Station unless otherwise noted.

***On a motion made by Peter L. McDowell, and duly seconded the Board UNANIMOUSLY VOTED: to adjourn the open session in accordance with Chapter 30A, Section 21(2) to conduct strategy sessions in preparation for negotiations with non-union personnel (office and water works employees, Superintendent and Clerk/Treasurer);and not to return to open session. At 6:46 PM the roll call vote was as follows:***

***Charles F. Crowell – Yes  
Peter L. McDowell – Yes  
Paul F. Prue – Yes***