

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting held

May 17, 2012

A meeting, having been duly posted, was held this date at the Planning Board Conference Room, 485 Main Street, South Dennis. The meeting was called to order by Paul F. Prue, Chairman at 6:00 PM. Also in attendance were Charles F. Crowell and Peter L. McDowell and the following District official:

Sheryl A McMahon, Clerk & Treasurer
David Larkowski, Superintendent

Post Annual Election Reorganization:

Chairman Prue congratulated Mr. McDowell on his recent re-election to another three-year term on the Board of Water Commissioners. He then called for the election of officers for the Board. On a motion made by Charles F. Crowell and duly seconded, the Board ***UNANIMOUSLY VOTED: to elect Paul F. Prue to serve as Chairman.*** On a motion made by Peter L. McDowell and duly seconded, the Board ***UNANIMOUSLY VOTED: to elect Charles F. Crowell as Vice Chairman.***

Public Comment:

Mr. McDowell said that he had attended a day-long seminar on wastewater at the Dennis Pines. He complimented Chris Gallant, the proprietor of the restaurant operations at the Pines for providing outstanding services to those in attendance. He noted that there are substantial changes being made by the Environmental Protection Agency (EPA). One of the major discussions of the meeting was the suit filed by the Conservation Law Foundation and the Buzzards Bay Alliance against the EPA. He relayed that it was his understanding that EPA's view is that the Clean Water Act pertains to point-source contamination and not the non-specific point source contamination associated with discharges from storm water drainage and septic systems. He also reported that Paul Niedzwiecki, Executive Director of the Cape Cod Commission, had attended this seminar as well as the Town's Comprehensive Wastewater Task Force Meeting the prior week and was in agreement that there was nothing available at the Federal level for funding and very little at the state and local levels to undertake the construction of a "big-pipe" wastewater treatment system. He noted that the seminar was recorded and will be replayed on one of the local government cable channels for a period of time.

Mr. Larkowski announced the upcoming Household Hazardous Waste Collection Day sponsored by the Dennis Water District. It will be held from 9:00 am to 1:00 pm on Saturday, June 2 at the Tony Kent Arena. He noted that the County provides the public announcement services by mailing a brochure to every household. He noted that approximately 300 cars come to the site.

Customer Issues: - None

Consider Request from Old South Dennis Historic Village Association for water service on Charlie Chamberlain Parkway:

Mr. Larkowski explained that the traffic island that the Association is looking to have a water service installed on for irrigation is located opposite the Sovereign Bank on Route 134. It is approximately 250 to 300 feet long to the set of lights at Upper County Road. Most of it is covered in just grass. He said it

was doable but it would be expensive. Chairman Prue noted that when Route 134 was made wider the water mains that were just off the road and now they are now buried underneath the roadway. Installing the service would mean that the roadway would need to be cut to tap the water main, traffic details, and then patch the road. He estimated the District's cost at \$1,500 to \$1,600. Chairman Prue felt that cutting the road could create an issue. Mr. McDowell served on the Charlie Chamberlain Parkway Committee said that the Committee had wanted to make sure that any improvements that were made required only minimal maintenance. He was not sympathetic to the idea. Chairman Prue reiterated his concern that it would require digging up the middle of the highway. Ms. McMahon said that when other sites have been denied they have installed sturdy, drought and heat resistant plantings that require little or not attention. Mr. McDowell noted that the State is intending to double-barrel the remainder of Route 134 from Upper County to Route 28 and should there be a discussion about installing water uniformly on the road. He recommended that the Board receive more comprehensive information before it considers such a request.

Update on Drought Management Plan and Consider Signing Letter of Support for a Proposed Plan:

Mr. Larkowski advised the Board that he has continued to represent the District's interests in the development of a drought management plan with representatives of Barnstable County Water Utilities Association meeting with the Massachusetts Department of Environmental Protection. The plan proposed is being based on ground water levels and not simply calendar driven. The number of monitoring locations across the Cape is also being discussed. For Dennis, Harwich, Brewster and Orleans, the monitoring well is located at Nickerson State Park. From May to October, if we fall below the 25th percentile it would trigger an implementation of water restrictions. The Barnstable County group wants to see a trigger for mandatory water restrictions based on twelve consecutive below the 25th percentile. The Board had received a spreadsheet showing history back to 1980. The exhibit demonstrated, under the proposed guidelines, when the mandatory restrictions would have been triggered. It clearly showed when there were drought conditions. The State has acknowledged that the Cape does have an abundant water supply and it can withstand a significant drought over a twelve month period. Mr. Larkowski asked the Board to sign a letter in support of the draft drought management plan for the Dennis Water District addressed to Bethany A Card, Assistant Director of the Bureau of Resource Protection of the Department of Environmental Protection. Mr. Larkowski reviewed the District's Drought Management Plan which provided for a tiered water ban restriction format from voluntary odd/even outdoor watering up to mandatory prohibitions for outdoor watering. The Superintendent read the letter aloud (copy attached to the minutes). On a motion made by Peter L. McDowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to sign a letter in support of adoption of the Dennis Water District Drought Management Plan as drafted by the District Superintendent and in consultation with the Barnstable County Water Utilities Association.***

Review Account Billing for Town of Dennis Accounts and Private Non-Profit Organizations:

Ms. McMahon reviewed the historical billing information to the Town of Dennis and non-profit organizations. Approximately twenty years ago, the Board negotiated an agreement with the Town to buy fuel from the Town and to allow a certain amount of "free" water to accounts based on their historical and anticipated usage. Amounts over the allowance would be billed at the production rate. The account charge is not billed to municipal accounts nor is the Watershed Protection Fee. The municipal accounts are only billed in the spring for the entire previous calendar year. She noted that she

has brought the discussion forward because the Transfer Station is considered a business-like activity and is audited as such. She reminded the Board that beaches, harbors and golf accounts are billed the full cost of water because they are essentially user-based and the fees set are intended to recover the costs of operations. Since the Board of Selectmen is entering into discussions about future operations and costs of the Transfer Station, Ms. McMahon is recommending that the Board assess the full costs of water to the Town so that it can incorporate them in their future analysis. She noted that the gatehouse is allowed 24,000 gallons of water and the Transfer Station operation is allowed 100,000 gallons. A new service was installed to that facility as a wash-down station for equipment. No usage is yet available. She stated that no action was necessary tonight but the information was being presented to the Board as a whole for future consideration. Ms. McMahon said that she would reformat the information so that it would subtotal similar accounts (e.g. cemeteries). Ms. McDowell asked several questions regarding the report such as total number of accounts, gallons used and gallons abated.

Review and Approve Employee Mitigation Plan for Employees.

Ms. McMahon provided a summary of what had been discussed with the District employees on how to disburse the Mitigation Fund that was approved at the Annual District Meeting. The amount is \$15,783. The creation of the Mitigation Fund was authorized under Chapter 32B as part of the Municipal Health Insurance Reform Act. It is based on 25% of the projected savings to the District based on the plan design changes that were brought forward by the Cape Cod Municipal Health Group and will become effective on July 1, 2012. The plan design changes were new deductibles and increased and new co-pays for services and prescriptions. Ms. McMahon explained that there was myriad of ways to distribute the funds to the covered employees. One method was for premium holidays (i.e. no health care deductions until the funds are expended). Another method is known as the Health Reimbursement Plan (Account) (HRA) and is authorized under the Internal Revenue Code. Under an HRA plan, employees with a family plan would have a reimbursement account of approximately \$800 and a single plan of \$400. Once the employee accumulated \$100 worth of deductibles or co-pays the employee can submit the documents for reimbursement. She stated that in some cases the funds might last six months, in others it might last for several years. Mr. Larkowski said that the employees voted for the HRA plan as opposed to premium holidays. Also discussed was the difference in the amount of available funds if the Water Commissioners did not participate in the HRA plan. If the Commissioners chose to exclude themselves from participating in the plan, the funds available to employees with family plans would increase by approximately \$130 and to employees with a single plan by \$65. Mr. McDowell said he would like to see all the funds distributed to the regular employees of the District and not include the Commissioners. He also asked if there was a way to set aside funds in case there was someone with a major illness that could be accessed. Ms. McMahon explained that, unlike the current plans, the plans that are going into effect on July 1 have maximum out-of-pocket expenditures. The amounts are \$2,000 per person and a maximum of \$4,000 per family on an annual basis. Therefore, catastrophic illnesses would be capped. She further stated that there are only four active plans provided by two carriers; Blue Cross Blue Shield and Harvard Pilgrim. Each has a preferred provider plan and an HMO. The Harvard Pilgrim HMO has the most enrollments, approximately half among active employees. A family with multiple children would have a deductible of \$250 per person with a maximum family deductible of \$750. Mr. McDowell suggested that if there was another option such as having everyone meet a certain level of deductibles and then anything over that be reimbursed. Ms. McMahon stated that the employees did talk about this very scenario, that what happens if someone or a family member has a catastrophic illness. She explained that deductibles have maximum limits which are then applicable to maximum out-of-pocket expenses. Mr. Larkowski stated that it was everyone's personal responsibility to use their account wisely. As an example, he said that if an employee uses the money to supplement each and every co-pay on prescriptions, it could mean that the funds will be expended quickly.

However, if an employee waits until a significant event occurs, such as being hospitalized, the funds may be available to them for several years. Mr. Larkowski said that, as a group, the employees thought that the HRA plan was the most equitable and fair way to distribute the money for its intended purpose. Mr. McDowell said that the \$15,783 is essentially the employee's money but, the plan needs to be approved by the Board as the legal authority for disbursing appropriations. On a motion made by Peter L. McDowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to approve the Mitigation Plan as outlined in the memo dated May 11, 2012 and further, to exclude the Water Commissioners from participating.***

On a motion made Charles F. Crowell, and duly seconded the Board ***UNANIMOUSLY VOTED: to adjourn the meeting at 6:54 PM.***

Respectfully submitted,

Sheryl A McMahon, Clerk