

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting held

July 26, 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 4:08 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

Also in attendance were: Paul R. McCormick, Selectman
Paul Covell, Chairman, Dennis Board of Health
Diane Chamberlain, Dennis Board of Health
Curt Livingston, Dennis Board of Health
Nathan C. Weeks, PE, Stearns & Wheler

Chairman Crowell welcomed the attendees and encouraged them to begin the discussion regarding the scope of work being developed for the study being considering. The study will be undertaken by Stearns & Wheler and is expected to be entitled "Ownership Issues Related to Implementation of Wastewater Infrastructure in Dennis." Ms. Chamberlain stated that she has a lot of concerns about the misstatements being made by certain members of the Task Force regarding septic systems. She also expressed concerns that in the past, individual members have contacted Representative Turner about amendments to the Community Preservation Act which might allow use of Community Preservation Funds for other municipal uses, including wastewater management issues. Mr. Prue said that he felt that certain Task Force members are pre-mature in their desire to begin working on particular aspects of wastewater. He said that there could be considerable financial risk in doing things prematurely. Mr. Covell stated his confidence in the Board of Water Commissioners and in their ability to work with the Board of Health to nurture the wastewater process. He reminded the Water Commissioners that Nitrogen is not the only issue driving the wastewater management discussion. There seems to be a perception on the Task Force that the entire town will need to be sewered. Ms. Chamberlain has heard several members comment that Title V is essentially worthless which she believes is an irresponsible statement. She does not believe that such statements are laying a good foundation for the work that will need to come later. The Task Force does not have leadership. Ms. McMahon, a District representative to the Task Force stated that there has been a great deal of reluctance on the part of any current member of the Task Force to assume the Chair. She has conveyed this message to the Board of Selectmen.

Mr. Larkowski explained that Stearns & Wheler, represented by Nate Weeks, was present this evening to discuss the scope of work that would be necessary to identify and examine the issues that would arise should the Town or the District assume responsibility and authority for developing the Comprehensive Wastewater Management Plan and subsequent infrastructure. Mr. Weeks clearly stated that further development of plans for any type of infrastructure should be put on hold until the Total Maximum Daily Limits for nitrogen s are determined. He said that, in the mean time, the District could initiate a decision making process to determine which entity would be responsible for development of the plan and any infrastructure. Typically, it is the Town that does wastewater management through a sewer commission. He identified several reasons; a) the Town

owns a lot of property, b) wastewater infrastructure needs to have sites in a myriad of facilities throughout the municipality and c) affected municipal boards are instruments of the Town of Dennis and appointed by the Board of Selectmen. Whether the District or Town assumes the responsibility what will ultimately be developed will be determined by the community's personality and not necessarily on any one significant factor. Determining which entity will be responsible for wastewater management is an important aspect of this planning process for Dennis. He acknowledged that the Board of Health has a very important stake in this process. Theirs is probably one of the most critical. Mr. Weeks further commented that, just like individuals, if communities don't have clear direction or a plan of action, it is difficult to envision what the outcomes will look like. Probably the most important question that will be asked of the community is, "Who is going to implement wastewater management"? Stearns & Wheler has proposed a scope of work that should provide information to help the decision making process.

Ms. McMahon said she believed the Board of Water Commissioners should make a decision sooner rather than later because of the additional funds that are going to be needed for continued sampling under the Massachusetts Estuaries Project as well as other studies being considered. The monies have been appropriated from water revenues. While it is still within the scope of the article that established the need to begin these studies, there may come a time when diverting the water revenues for wastewater issues may become problematic.

Ms. McMahon further noted that there is a grant program currently being funded through the Cape Cod Water Protection Collaborative that might be accessed for this study if it were to include examining the possibility of Dennis collaborating with a neighboring town such as Yarmouth, Brewster or Harwich. Conducting a study of how to establish or create a sewer district that was comprised of one or more watersheds that crossed municipal boundaries, would be a proposal she felt would fit within the parameters of the grant application. Ms. Chamberlain expressed her reluctance to engage in any regional approach with another town, particularly given what happened with the Dennis-Yarmouth Regional School District agreement. She further stated that, even if two or more towns reached an agreement, there is always the risk that the State Legislature could interfere with the agreement, as it did under the Chapter 70 education formula, and override the agreement to the detriment of one or more participating entities. Those sentiments were echoed by a number of those present. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to engage the services of Stearns & Wheler for the Scope of Work contained in a Proposal to study and report on the ownership issues pertaining to the responsibility and authority for implementing wastewater management and infrastructure in Dennis and dated June 29, 2007 at the quoted price not to exceed of \$28,000.***

Ms. McMahon reviewed the application of Matthew Troiano of 23 Kibby Lane, Dennisport (Acct. No. 02247) for a credit in accordance with the Board of Water Commissioner's Leak Abatement Policy. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to credit the account of Matthew Troiano, 02247, of 23 Kibby Lane, Dennisport in the amount of \$768.50 in accordance with the Board's Leak Abatement Policy.***

The Board of Water Commissioners then reviewed the canvas of bids received for various treatment chemicals. On a motion made Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to award the FY 2008 purchases of potassium hydroxide to Basic***

Chemical Solutions at \$2.04 per gallon for a two-year period as quoted in their price proposal dated June 20, 2007.

The Board of Water Commissioners reviewed the canvas of bids received for the delivery of propane gas to offsite tanks. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to award the FY 2008 delivery of propane gas to offsite tanks at various pumping stations at the spot market price plus a mark-up of \$0.23950 as quoted in their price proposal dated June 4, 2007.***

The Board of Water Commissioners reviewed the canvas of bids received for the purchase of cold water meters. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to award the FY 2008 purchase of cold water meters to Neptune Technology Group, Inc. at the prices quoted in their bid dated June 20, 2007.***

The Board of Water Commissioners reviewed the canvas of bids received for the purchase of water service materials. It was noted that the ball valves were not awarded due to the great discrepancy in prices based on questionable materials used. Mr. Larkowski said that he would obtain quotes at the time he needed to purchase ball valves in order to get the correct composition of materials and prices. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to award the FY 2008 purchase of compression corporations, teeheads, adapters, right angle meter stops and plastic pipe to Ferguson Waterworks, Inc. (aka Sumner & Dunbar locally), the purchase of service boxes to Vellano Brothers, Inc., and the purchase of plastic inserts to E. J. Prescott, Inc, all at the prices quoted in their bid proposals dated June 22, 2007.***

The Board of Water Commissioners reviewed the canvas of bids received for the purchase of water works materials and supplies. On a motion made by Paul F. Prue, and duly seconded, the Board ***UNANIMOUSLY VOTED: to award the FY 2008 purchase of iron pipe, fittings, hydrants, valves, tapping sleeves and gate valves to Ferguson Waterworks, Inc. (aka Sumner & Dunbar locally) in accordance with their bid proposal dated June 22, 2007 and the megalugs were awarded to Cape Cod Win Water with their bid proposal dated June 20, 2007.***

Chairman Crowell welcomed Deputy Chief John Donlan and Captain Robert Brown to the meeting. The two Fire Department officials were present to formally request permission to install antennas for new 450 bandwidth radios that will be used by their department and serve as a backup system during emergencies for the Police Department and other municipal departments. Mr. Larkowski stated that the Fire Department can and will use the existing cabling, cement pad and underground conduit which is being abandoned by a cellular carrier (Cingular). There is already a generator on site. Essentially, the necessary capital facilities are already in place. Re-use of the abandoned facilities is a great opportunity for the Fire Department to move ahead with this project and save a considerable amount of money for the Town. Deputy Donlan advised the Commissioners that the Town currently has eight to ten different radio frequencies being used by the various departments which means they cannot communicate effectively with each other. The Board was advised that the radios being purchased are the result of a federal grant. The site

abandoned by Cingular is on the Hokum Rock Tank. Captain Brown explained that this is the beginning of developing the municipal workgroup's radio system infrastructure. They are currently in Phase 1 of development. It was noted that the mobile radios cost approximately \$400 each. On a motion made by Charles F. Crowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to authorize the Fire Department to enter into an agreement with the District to occupy and use the electronic facilities and backup generator being abandoned by Cingular on the Hokum Rock Tank at no cost to the Fire Department for the use of that equipment and or to occupy the space.***

Mr. Larkowski presented for review the design services proposals for the Iron & Manganese Treatment plants. The proposals are based on man hours required to design, bid including the estimated construction oversight and start-up of the plant. Project Manager will be David Larkowski, District Superintendent. Mr. Larkowski noted that although some of the proposals provide different levels of service hours, the overall price differential between all of the proposals received was only \$50,000. Although Earth Tech appeared to be the lowest bidder, Mr. Larkowski recommended that Earth Tech be interviewed further in order to substantiate the number of hours of effort estimated in the proposal.

As the Project Owner/Manager, one of the responsibilities is to have the property surveyed for the plant siting. Mr. Larkowski obtained quotations from Felco Engineering at \$6,500 and Bennett & O'Reilly at \$5,250. The survey project is expected to be comprehensive based on various title work and to superimpose the digital zones and main maps on the site plans. On a motion made by Charles F. Crowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to award the survey work for siting the two treatment facilities to Bennett & O'Reilly, Inc. at the quoted price of \$5,250.***

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 meeting at 5:45 PM.***

Respectfully submitted,

Sheryl A. McMahon, Clerk