

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting held

June 27, 2013

A meeting, having been duly posted, was held this date at the Dennis Police Station, 90 Bob Crowell Road, 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
Thomas Perrino, General Counsel

Public Comment

Mr. McDowell said he has visited Edward Crowell, former Chairman of the Board while he has been at Eagle Pond Rehabilitation. Chairman Prue has also visited and said he will be taking him out to see District facilities in the near future.

Request by Compact of Cape Cod Conservation Trust (CCCT) to send letter of support for grant application by Town of Brewster for the acquisition of 55 (+/-) acres in Brewster that abuts District watershed.

Chairman Prue read a draft letter of support from the Board of Water Commissioners to Richard Sullivan, Secretary, Executive Office of Energy & Environmental Affairs. Chairman Prue stated that the District would receive the greatest benefit of this acquisition as there are eight wells within the 800 feet of the property. On a motion made by Peter L. McDowell , and duly seconded, the Board ***UNANIMOUSLY VOTED: to authorize the Chairman to sign a letter of support for the Town of Brewster's application for a LAND grant for the purchase of approximately 55 acres of land that abuts District watershed lands.***

Drought Management Plan (Plan) – Status Review

Mr. Larkowski had previously provided data and materials to the Board relative to the status of groundwater levels. The Plan bases changes in the status of drought management for the District on the levels of water at a USGS well in Brewster. That level of the well is monitored constantly and precipitation trends are noted. He provided a status as of today. Chatham, Dennis, Brewster and Orleans monitor the status of that well. The District is currently at an Advisory status. The status was set by the Board of Water Commissioners as voluntary water restrictions. An update of the status will be included in the newsletter with the August water bills. No action was taken by the Board.

Request for Reserve Fund Transfers:

a. Emergency Septic Replacement at Main Office Building - \$25,000

Mr. Larkowski reminded the Board that the septic system at the main offices is in a failed status. Current system is a pump station which goes to the top of the driveway. Permits have been obtained from the Board of Health Department of Environmental Protection. The plans are

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complete. He has received a couple of quotes at approximately \$25,000. Electrical work will be done by staff. The design includes a holding tank, pump chamber and then the effluent will be pumped to a new leaching field. The Town of Dennis granted an easement within the road layout at the Annual Town Meeting. There are no funds available in the current budget. On a motion made by Peter L. McDowell, and duly seconded, the Board ***UNANIMOULSY VOTED: to transfer \$25,000 from the FY 2013 Reserve Fund for the replacement of the Septic system as requested by the Superintendent.***

b. Lightning Damage June 2013 to stations – estimated at \$10,000 plus

Mr. Larkowski advised the Board that, as the result of lightening damage (June 3, 2013), several pumping and treatment stations suffered serious damage; mostly to electronic equipment and components. In particular were Wells 12 and 23. They are all back on line. The repairs were being done in house by the electrician. The estimate forwarded to the insurance company was \$11,997.14 less a \$1,000 deductible. He is requesting a transfer from the Reserve Fund of FY 2013. The damage was to equipment such as computers, analog input cards, two flow meters, surge arresters were blown, security panel and keypads, two chlorine and KOH injector pumps, etc. The stations cannot be operated without master meters, so if the mother boards are damaged, the station cannot run. It is taken two weeks to obtain replacements.

Inventory replacement items typically lost in lightning strikes - \$10,000

Mr. Larkowski advised the Board that these damaging lightening storms happen mostly over the summer. When the damage is serious enough, pumps must be run manually or not at all and it puts the production capability in jeopardy. He is requesting \$14,000 for inventory to keep available due to the time lag for ordering replacement equipment.

On a motion made by Peter L. McDowell, and duly seconded, the Board ***UNANIMOULSY VOTED: to transfer \$11,000 for the lightning damage of June 3, 2013 and the \$14,000 for inventory from the FY 2013 Reserve Fund as requested.***

Review and Award Materials Bids for FY 2014

Mr. Larkowski reviewed the canvas of bids that had been previously provided to the Board. It is customary to receive bids from only two vendors; Cape Win Water and Ferguson. There are other companies that requested the bids but, there were only two that are received. Due to the anticipated increase in 12" water main prices, the Superintendent placed an order for the transmission main project that is being installed from Eagle Pond to Great Western Road

On a motion made by Charles F. Crowell, and duly seconded, Board ***UNANIMOUSLY VOTED: to award the purchase of Ductile Iron Pipe, Fittings Hydrants and Valves to Ferguson.***

Mr. Larkowski recommended to award the purchase of Mueller brass, ball valves, water service pipe, cast iron boxes to Cape Cod Win Water and award the inserts to Ferguson. The recent change in regulation requires that these fittings no longer contain lead. On a motion made by Peter L. McDowell, and duly seconded, Board ***UNANIMOUSLY VOTED: to award the canvas of bids, with the exception of inserts to Cape Cod WinWater, with the inserts being awarded to Ferguson.***

Project Updates:

a. Treatment Plant Upgrades - Kristen Burger, the engineer with Comprehensive Environmental, Inc. (CEI) has developed the plan and worked with DEP to obtain the permits which have been granted. They worked with Roberts Filters for developing the equipment specifications for acquiring the vessels and appurtenant items. On recommendation of Ms. Berger, they waited for the results of the Kingston bid, before the contacted Roberts Filters. They subsequently negotiated a price from \$419,000 to \$384,000 plus a 2% discount if payment is received within 15 days of invoicing. The equipment will not be delivered for 22 weeks, most likely in November to December and the work will commence over the winter.

b. Transmission Main Project - *The last easement has been recorded for the three easement necessary to begin installing the 12" water main from Eagle Pond Rehabilitation to Great Western Road. The pipe should be here in July and the staff will be cutting the road for the installation so the main can be installed in the fall.*

*Minutes of 11/17/11, 3/1/12, 3/22/12, 4/6/12, 4/24/12, 6/28/12, 7/30/12, 8/23/12, 10/25/12,
12/27/12*

November 17, 2011 –Small correction noted at very end regarding “attended.” On a motion made by Charles F. Crowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of November 17, 2011, as corrected.

March 1, 2012 – Correction noted – page 2, 1/3 way down for the cost of living adjustment. On a motion made by Charles F. Crowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of March 1, 2011, as corrected. .

March 22, 2012 – On a motion made by Peter L. McDowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of March 22, 2011, with minor corrections.

April 6, 2012 – On a motion made by Charles F. Crowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of April 6, 2011, as corrected.

April 24, 2012 – On a motion made by Peter L. McDowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of April 24, 2011, as presented.

June 28, 2012 – On a motion made by Peter L. McDowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of June 28, 2011, with typographical corrections.

July 30, 2012 – On a motion made by Charles F. Crowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of July 30, 2011, as presented.

August 23, 2012 – On a motion made by Peter L. McDowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of August 23, 2011, as presented

October 25, 2012 – On a motion made by Charles F. Crowell, and duly seconded, the Board VOTED 2-0-1 (PLM abstaining): to accept the minutes of October 25, 2011, as presented.

December 27, 2012 – Amendments noted: on the third page, third paragraph, revised from “claim” to “stated” and “believed” to “said”. On a motion made by Peter L. McDowell, and duly seconded, the Board UNANIMOUSLY VOTED: to accept the minutes of December 27 2011, as amended.

To Require by amending the Job Description of the Clerk Treasurer as follows: "By striking the words, "Prepares and distributes agendas, materials, minutes and recordings of meetings" and inset in their place the following new words, "Uniform Flow of Information to the Commissioners- The clerk shall be responsible for the advance preparation and timely submission of agendas, materials, minutes, recordings of meetings and other necessary information to allow Commissioners reasonable time for their review in making necessary decisions in behalf of the District. No essential meeting information shall be provided to a commissioner that is not provided to them all."

To Provide Public Access to Actions of the District by amending the Job Description of the Clerk Treasurer, under the section, Clerk by adding the following words: "Public Access- The Clerk shall be responsible for the prompt placement onto the Dennis Water District website for public viewing all "Agendas", "Minutes" and "Videos on Demand" of all meetings of the Commissioners since 2010 in same fashion the Town displays that of its commissions, committees and boards."

Mr. Larkowski submitted a draft policy in order to satisfy the concerns that Mr. McDowell has raised over the last several months concerning the distribution of materials to Board members. The policy sets deadlines, when the agenda are to be posted, when the packages are to be made available. One of the questions asked of the Board, which did not have to be decided this evening was in what manner does each Board member want to receive their communications.

Mr. Larkowski reviewed each item outlined in the draft Policy on Uniform Flow of Communications. A preliminary draft agenda would be available on Wednesday, assuming the meeting was to be scheduled the following week on Thursday. This would be the first time it would be reviewed by the Board. Additions submitted by the Board members should be received by 3:00 PM on the next day, with supporting materials. The Clerk is then to assemble materials for the Board's packets and have it ready by 2:00 PM on Friday. The Policy draft provides that the Chairman may make minor adjustments in the order or content of the agenda. Late added items will be followed with relative information distributed to each Board members in accordance with their preferred method of communication.

Adjustments to be added

Mr. Larkowski reviewed modifications to the job descriptions of the Clerk which provides for a deadline for posting the agenda and approved minutes and makes the position accountable by referencing the Board's Policy on Uniform Flow of Communications. It also requires the Clerk to provide a draft of the previous meeting for the next regular Board meeting. For special meetings and cancellations, the Chairman is responsible for polling the other board members to see if they are available and staff is to follow section A of the Policy to the extent possible.

Mr. McDowell thanked the staff for making the effort to address the concerns he has expressed over the past several meetings. On a motion made by Peter L. McDowell, and duly seconded, the Board UNANIMOUSLY VOTED: to pass over items 8 and 9 as listed on the agenda concerning modifications to the job description of the Clerk/Treasurer.

At approximately 7:08 PM and on a motion made by Peter L. McDowell, seconded by Charles F. Crowell the Board UNANIMOULSY VOTED: to adjourn to EXECUTIVE SESSION in accordance with Ch. 30A, Sec. 21(a)(1) To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body; to consider the expiration of an easement containing 8,587 sq. ft. granted by the Dennis Water District to Robert Ralston and Phyllis H. Ralston (otherwise known as "Agway"); not to return to open session. The Chairman called for a roll call vote which was as follows:

Peter L McDowell – "aye"

Paul F. Prue - "aye"

Charles F. Crowell – "aye"

Respectfully submitted,

Sheryl A McMahon, Clerk