

**BOARD OF COMMISSIONERS MEETING
MINUTES OF
March 9, 2021
Buzzards Bay Water District 15 Wallace Ave. Buzzards Bay, MA 02532
MINUTES**

Present:

Wendy Chapman, Chairperson
Robert Ethier, Vice Chairman
Joe Carrara, Commissioner
Galon "Skip" Barlow – Commissioner
Mark McMahon, Commissioner
TK Menesale, District Treasurer, Clerk
Steven Souza – Superintendent
Barry Woods, Admin. Support
Louise Warren, Account Manager
James Chapman, resident
Neil Langille, resident
Gary Maloney, resident
Kristin Berger, Resilient Civil Engineering, PC

Meeting was held via ZOOM and recorded by TK Menesale, District Treasurer, Clerk. The meeting was called to order by Wendy Chapman, Chairperson, at 4:00 pm.

Approval of the Meeting Minutes dated 2.10.21 & 2.26.21

Joe Carrara a **MOTION** to approve the minutes of the **2.10.21 & 2.26.21** meetings. Galon "Skip" Barlow made seconded that motion, and all in favor. The motion passed unanimously.

Approval of the February 2021 billing commitment

Joe Carrara made a **MOTION** to approve the February 2021 billing commitment. Galon "Skip" Barlow seconded that motion, and all in favor. The motion passed unanimously.

Approval of the FY22 Budget

Wendy Chapman proposed we review the budget in detail and vote on it at the April 6, 2021 meeting. Wendy brought attention to the 3% COLA and \$400K capital improvement fund. Wendy asked if there were any comments from TK or Steve. TK said that included COLA information about Fiscal 21 versus Fiscal 22: In FY21, the Buzzards Bay Water District (BBWD) had a 2% cola. Included in the budget TK prepared is a proposed 3% cola as we usually stay in line with the Town of Bourne, and in Fiscal 21, the Town of Bourne had a 3% COLA, where BBWD had a 2% COLA. TK also noted that the Barnstable County Retirees, Charlie Baker's budget for FY21 Comm of MA Retirees both experienced 3% cola both Fiscal 21 and Fiscal 22. TK posted a question for the MCTA members, and two towns replied. The

Town of Dover had a COLA of 3% in Fiscal 21, 2% in Fiscal 22 and Billerica reported a COLA of 2.3% Fiscal 21 and 2.1% in Fiscal 22. TK added a 2.5% cola calculation after our budget meeting per Wendy's request. One additional calculation is that we learned there would be an \$800 additional fee on sewerage for the Town of Bourne.

Steve Souza spoke about the Fund for Capital Improvements including a putting monies aside for a structure for our equipment and vehicles. Steve noted that a garage improvement would promote longevity of the vehicles, get them out of the weather and the salt air. Steve said this would also help security of the assets. TK said we should consider planning for space that might have dual use including an increased size for the monthly commissioners meetings and or possibly the size, if we remove the equipment, we might consider having our annual meetings in the space. TK didn't know if that's feasible, but she thought planning for a dual usage for it both administrative, we can incorporate the ADA compliant bathroom also in a continuous building. Steve had proposed a five bay garage for housing the equipment and vehicles and trailers. Steve and TK did not have any cost available yet, so planning is hard at this point. Additional discussion included using temporary shelters, and the possible placement of steel buildings.

FY22 Budget - Motion to increase the Chairman's yearly pay by \$500

Bob Ethier noted that he been talking with people in other districts. He said there's a lot of work involved in being chairperson, especially lately for us. In other districts the Chairman's pay was higher than the rest of the commissioners, and so it should be. Bob proposed rather than \$100 it should be increased by a few \$100 for the chairperson. Bob thought it should be added to the budget. TK noted that the current difference is \$208 more per year paid to the Chairman than to the other Commissioners. Bob said, if it were up to him, he would make it \$400 to \$500 more a year for a Chairman. He also said he could never see himself as Chairman.

Skip Barlow made a **MOTION** to increase the Chairman's pay by \$500 per year. Joe Cararra seconded the motion, and all in favor. The motion passed unanimously.

Approval of the Water Billing Tiers

Wendy Chapman proposed adding two billing tiers on water usage on the top of the chart. She said when the chart was developed several years ago, the company did not take into consideration the percentage of nonprofit and tax-exempt properties that are in the district. The district is funded by the combination of water usage, district property taxes and development fees. Currently it's her understanding, there is not a lot of property that will be able to give us developmental fee revenues. She said there are only limited properties left, the tax revenue is decreasing, and due to the fact that the Town as well as MMA have been expanding by taking properties that were taxable. For example, the Town took the land for the Bournedale elementary school and the DPW from a tax title property area The inclusive playground next to Keystone was taken by the CPC, and cranberry bogs on Head of the Bay were taken by the CPC for walking trails, MMA has taken land on Academy drive for a parking lot, Beachmoor for school use, land across from town hall, parking lot, Old Bridge Road as a parking lot, and also a space on Main Street. She said that although some of these properties use some water, many do not use water. Wendy Chapman said therefore the district is losing tax revenue and the revenue is not

paid by water usage. Wendy said we have approached Mass Maritime in the past about a pilot program, and the Academy was not open to the concept. They were open to discussing a type of barter system, for example the hall we just used for our Special Election on Feb 26. Wendy said at one point, the district had all of Taylor's point as tax revenue prior to 1960 when mass maritime actually came to the point. At that point we lost all the revenue for where the current campus is a few years ago, and they have expanded since then. Wendy said we had the Bourne assessor's office give us an idea of how much tax revenue, just for Mass Maritime we're losing, and it is approximately about 40,000 a year. MMA is paying a higher water usage tier rate, as well as the hotel, the Scenic Park, Laundromat to just name a few. Though some of these companies are also paying their taxes, as well as paying on the higher tier. Wendy said she had also approached Scenic Park about doing a pilot, and she was told that if we needed to cover more costs that we should raise the rates, which is adding tiers. Anyone in the top few tiers would mitigate the cost, either by passing it on to the students, residents, to customers and to campers. It is estimated that with the two extra tiers we would have an additional \$80,000 in water fees. In the event a homeowner or business owner wanted to decrease their costs, they would be able to conserve the amount of water they use at the higher tier, and those that are irrigating their lawns, so if they found out they didn't want to pay the higher amount, they would probably stop irrigating as much. So the higher tiers would actually cause some people to do more of a conservation manner that they were using less water. The additional benefits of the additional tiers would allow the district to recoup lost revenue as well as engaging in the water conservation. The district is facing replacing water lines of infrastructure during the next few years, we have been currently putting away monies in the stabilization fund to start preparing for all the needed work to be done. Wendy said she believes it would be prudent of the district to start the process of realigning the tiers as preparing for the future by addressing the water use. As mentioned above the two additional tiers would add revenue along with encouraging water conservation.

Wendy then asked for comments. Joe Carrera said he thinks it's a good idea not only for additional money that we're going to need in the future but also for conservation, and he thinks that it's one way to help people realize that you just can't throw the water into the ground to see green grass. Joe said he thinks the two additional tiers makes sense.

Jim Chapman spoke up and said he would like to encourage the water commissioners. Jim thinks the Commissioners and Steve have done a great job getting us through this pandemic. He said the workers and Steve, and all the rest of you have done a great job keeping us going through all this and he thinks they deserve whatever they can get with a raise or anything else. Jim said to remember that the waterpark downtown hasn't been opened yet, and we have an infrastructure that's falling apart, and he thinks we have to start looking towards the future. We want a garage, and we want some other things for the water district. Jim said, you know, the biggest users are the ones that are taking the biggest toll out on whether it's pumps or electricity or oil or or whatever, which is bound to rise in the future. Jim said he thinks if we are looking towards the future in a budget, you have to really look at what's needed for the infrastructure and how bad that may be right now and how bad it could be down the road. In that in all those cases, Jim thinks that that you should look favorably upon that and and keep that in mind when you go into your April 9 meeting, because it is it without a tier structure of the people that voluntarily use that water it's you can either buy a Big Mac or you can buy a single hamburger at McDonalds and you know if you're going to use the water, and you have to pay more money for it, then at least that's contributing to what you want to accomplish in the future. So it'll prevent the, the 2400 or

so taxpayers from having to foot the bill, like with the well. We're not a town with 20,000 people in it paying taxes. We don't have negotiated contracts like the unions do. You want to look at all that, and you want to look at what it's going to cost you down the road and do some real good forecasting and Jim thinks you are really good at that with the present commissioners and with the staff that you have on board. Jim would just like to encourage that it's time for the higher users to pay their fair share, because otherwise down the road you are going to run into a problem. Jim said thank you.

Wendy asked if there anyone else who would like to make a comment: Bob Ethier said something has to be done, he didn't know if there was another way to do that. Bob said he's glad to listen to anybody who has a better way of doing it, or a different way, but he didn't think there was. I know what was just said I understand that, but I think that we have to do something we have to do it soon so I hope that the rest of the commissioners would feel the same way.

Barry Woods said he had a chance to review one of the multiple projection scenarios that TK worked on, and he received information provided from Louise. Barry said we are really only talking about two and a half percent of the customers who would be impacted under those two additional tier rates, so you're probably looking at about 54 customers who would be the ones that would be impacted out of the 2400. Barry said that the with the additional costs for electricity and chemicals for the water and everything, he thinks it's a reasonable approach.

Gary Maloney spoke and said he understands a tiered structure, but maybe it's time we start to get more into an actual commodity-based fee, where we pay what it costs for a gallon of water, and that way the highest users are actually paying their fair share. Gary said someone who's at the lower end, a small household, a senior citizen is paying their fair share, for that same gallon of water. Not that someone's using a gallon and a splash pad or a laundromat something we had to purify just so they can use it in a different format. We might also find that any of this re structure we do get impacted when we get down to the agenda item A few more steps below we start talking about conditions for our DEP permit that might mandate restrictions by those figures. And we don't have the money that we thought we were going to get from those gallons. Gary thinks a more fair system is pay as you go pay for what you actually use, and that the low end to subsidize is not at all. Olympic pools, someone wants to fill one. Gary said users have to pay their share, especially if it's not a portable water that they need to drink. Thank you very much.

Barry Woods said he didn't know how feasible, it is to do a price per gallon fee structure, and you just adjusted them to have either. That's been that's been looked at over the last 10 years. It's been looked at in a lot of detail by two different consultants. Each of the consultants doing the review: looking at the equity, the size of the district, customer base, existing fee structure that is in place based on certain amounts of usage. The district itself is young, elderly small families. And one of the things that was suggested back during that time during those studies, was the fact that, at some point, the district would need to consider having a couple of extra fees, put on top for those larger uses. It was discussed five years ago that they thought they would get through the initial upgrade increase that was implemented back in 2018, and this year is where it finalized and bottomed out I guess you could say with its last increase four years ago. So, this was time that it seemed feasible, especially with the support of the board, to move into charging the approximately two and a half percent of the customers that seriously use way over the limit. Many of our residential customers within the 50 plus arise from a small number of residential customers that do irrigation. So, I feel that those folks, if they still want to

pay, because they want the green, they'll pay but if they find that it's going to hit them in the pocket they may cut back. So ultimately, it seems to me, it should be the easiest solution. The board could always look at it after a year or two of this revenue and to look and see if you want to go to a customer base. Very difficult if you compare us to other districts. A lot of districts our size across the state. Basically all residential fees, costs, capital costs aren't the same as us. Unfortunately, because there's commercial growth is number of the nonprofit's as you say. Plus you know having an academy, which basically you know can use excess of 8 million gallons a year, too large for a small system. You have to remember that the system hasn't really grown by the source of the wells through the years because the cost was always to try to keep it down. The last well that just went in, was actually recommended to go in back in the 90s, and we put it in, you know, 2018 2019, and the cost probably was, was 500% more because of that delay in waiting, so I think the right way is to be charging the odd users the higher tiers. Gary says he is just concerned that we're going to be very quickly in a similar situation with our freshwater as users in Buzzards Bay, with huge costs for each individual user, even though we can nip some of that in the bud now probably going to happen anyway. It's going to go up, but we can limit that for the small user now with action versus, "let's see how it goes". I think we got to do what we got to do. Thank you for that. Jim C. says, I would agree partially with Gary. I think that that's a good idea. I think right now I think they have an immediate impact. I would encourage the water commissioners to vote on the new two new tiers. Get that out of the way and then maybe at the end of summer reevaluate everything, and maybe set up a committee to look at the different structures that that they can present to the water board. Gary says that might be a nice motion for them to make and then that way there's some notice to the community that it will be revisited in a very near term and that those rates are in danger of rising, so that people are aware, not having it sprung on him I think like the wastewater situation. Some of us knew, but not everybody.

Wendy asks for a motion to approve the tiers, as presented. Bob E. makes a motion. Seconded by Joe. Wendy wants to take a vote. Bob is in favor. Skip is okay with it but I likes the idea that we'll revisit it in the fall. He would like to amend the motion to include that.

Wendy asks if there is a motion to second Skip's motion to state that we will re-visit in the fall. Mark seconds. Wendy wants to take roll call on the amendment that we're going to revisit the tiers in the fall. Joe is in favor of it. Mark is in favor. Bob is in favor.

Wendy is in favor. The amendment passes that we will revisit the tiers in the fall.

Wendy asks for a motion to approve the tiers. Skip makes the motion. A motion that we approve the tiers. Seconded by Skip and Mark (simultaneously). Roll call vote, Joe. Yes. Skip. Yes. Bob, yes, Mark yes. Wendy votes in the affirmative the Motion passes.

Articles for FY22 Annual Meeting

The next item on the agenda is the articles for the fy 22 annual meeting.

TK reviews the motions. We have one for amending article five, which is when there's a vacancy on the board that we have 60 days to fill a vacancy. It will also add that nomination papers will be in place, just like the annual meeting.

The second article for the warrant we have on the agenda is to recall a commissioner and work towards that.

Wendy asks if there is any discussion regarding these 2 articles, one for pursuing the recall, and one for addressing the article with this special the 60 days, and the nomination papers. Wendy asks if she has a motion to put those on the agenda and for the April meeting?

Skip states that he is not aware of what the recall is

Wendy explains that if a commissioner is elected to the position, no matter what they do they cannot be removed. They could be elected, and receive their stipend, every month, and not sign a warrant, and not appear at any meeting. The recall would be a way that the district can address any issues if for some reason, a commissioner is not contributing to the district as they should. The town has a recall. for the same reason. At this point the district if someone is elected they have no recourse once the person has taken office.

Skip says this is the first he had heard of it.

Wendy says that we went to do it last year, and we were attempting to do it as a motion to amend the bylaws. Bob Troy suggested that it was not to be amending the bylaws, it has to go to the acts of the legislature the same way that the original district was formed in 1938. So we're following the same protocol, so even at the annual meeting if it is adopted, it would still take a couple of years before it would go into effect.

Skip asks if any of the other board members were aware that this on the table because he certainly never knew about it but he says that's okay.

Wendy says she believes they were aware of it in the past. She asks if the other Commissioners want to comment.

Bob states he was aware of it. He thinks, in some cases, we talked it over with town council because we thought we might need it in a couple of cases so the fact that we prepare for it and have it in our repertoire is I think a good thing. It was in there before, years ago, when district started.

Wendy says that the district has never had it. But other districts, such as the Wareham fire district has that. It is just a tool, because at this point there is no recourse. The town of Bourne found it to be a problem in the past, and they put it as part of the charter. The Town of Falmouth found it as a problem, they had with a person that was elected so they ended up adding it later. It's just a tool that is required that the district has the option. Voters have to get signatures to remove someone. It's nothing that is a quick process there is a full find out process.

Wendy asks Joe if he has anything to add as he knew we were moving towards this last year.

Joe says he doesn't have any qualms about it. He thinks that it's, another arrow in the quiver that we can use should the district need it. It is better to have it in place than not have it and then have to start from scratch and then take another two or three years to get it in effect. So, I think, I think we should do it.

Jim C. states he sided with the Board a few years ago, or about a year and a half ago. There was somebody at one of our meetings that actually said we had that in our bylaws at one time. He also agreed that in any organization you have to protect the organization. You could have somebody that

comes in and, let's say, become a water commissioner and take off and live in Florida for the next three years, and you'd still have to pay them.

Joe states just want to add one thing. When they moved here there was pride are coming here. There was a big hullabaloo about Blackie Burke, who was a legislator, and it showed a big picture of Blackie being down at his winter residence in Florida. Never making any meetings for getting paid for it so he was the vice chair of fiscal affairs at the time, and he got his money and the people got nothing for Blackie. It could happen is what I'm saying.

Wendy agrees and states it happened in the Town of Sandwich and in the Town of Falmouth.. Someone got elected, and they were not there to serve. She asks for any other comments. There are none.

This will be included in the warrant. Bob Troy will be working out the language to suit the district, it would actually have to be an annual meeting to vote. It's not a decision just by the five commissioners. It would be on the warrant at the district meeting, and the district as a whole would vote to either accept it or not to accept it.

Wendy asks if she has a motion to have this as an article on the agenda in April. Bob makes a motion. Joe seconds the motion. Wendy is going to take a roll call vote. Joe is in favor. Bob is in favor. Mark is in favor. Wendy in favor. It's a unanimous vote and will be on the warrant in April.

Wendy states that we also need a vote to amend a section on the special district meeting. Trying to arrange a district meeting to replace the commissioner in 60 days gives us a little more room to be able to set up the meeting, to get the candidates to have the knowledge to be able to move forward. All this is changing it to the 60 days (instead of 30 days). In addition, there was no provision within our bylaws to have the nomination papers but we are allowed to do an under COVID this time. She thinks consistency by having nomination papers for a special district special election is in the same frame as having it for the annual so in all this is we'll be adding changing into 60 days and 30 days, and also staying in the same Avenue as the annual candidate that delta nomination papers in the special. Wendy asks if she has someone to make a motion. Skip makes a motion. Second by Bob. Roll call vote: Joe. In favor. Skip, In favor. Mark, in favor. Wendy is in favor, it's unanimous vote.

DEP Water Permit Update by Kristin Berger, Resilient Civil Engineering, PC

Wendy asks Steve to give an update on the status of the DEP permit water permit. Steve introduces Kristin, who's been working with us to get the permit completed. She will explain where we are and what we need to do and where we go from here.

Kristen Berger: My name is Kristen Berger, I'm the consultant that's been helping with the Water Management Act application. You are probably aware that DEP did their public notice period after we did your public notice period. They got through that, and all they received was letters of support. So that was fantastic. There wasn't any letter that came in with any kind of concerns about the increase that was requested so that's fairly unusual in this day and age. We were happy to hear about that. The next step is DEP sent us the order to complete and I have some draft responses here. The only thing that we're waiting on is the Department of Conservation recreation to update their water needs forecast through 2031. I've been in touch with the individual at DCR that is taking care of that. And she is still in

the midst of her analysis, had a meeting with her to answer some additional questions and talk to her about what she was doing for the forecast and preliminarily really, it looks like what she's predicting is what we asked for. So that would be fantastic because it would cover the proposed developments that we know about and have a little bit of cushion in there. She hasn't completed the analysis, entirely. And she gave me an update this morning. She wants to give a call over to the planning department to get their take on population and employment projections. She's just really doing a lot of due diligence on how she's calculating. She's being very thorough about it and she was going to get back on doing that. She said she blocked off Friday, so they'll check back in with me early next week to give me an update so we're hoping to get that soon. There is a 90 day review period that we need to submit the responses to DPS letter within, and that comes in the later half in April. We do still have some time to get there. The rest of the order to complete items were fairly straightforward with explanations on the unaccounted-for water, which had crept up a little bit above 10%, and Steve was able to find a bunch of leaks in 2020, so that brought the number back down, so I think they'll be happy to hear about that. There were also some additional questions about water saving type fixtures in some of the municipal buildings. Steve met with the town administrator and got some additional updates and it sounds like there's going to be a more concerted effort to get at least the town hall updated with those water saving fixtures as the fixtures start to fail and break. They'll be replaced with up to date fixtures. We'll be able to give some clarifications on that and it looks like it's really only two municipal buildings within the district service area that need those retrofits, the town hall and the fire station. The DPW had a question on Mass Maritime because that looks like the district's largest user and they were just asking about water conservation practices that are done at the Academy. I have a summary about that, and I reviewed that with the engineer that they're working with at Green Co. He called me to check in and he's been doing that pretty regularly. They get concerned about the project that they're undergoing and wanting to make sure that you know we're moving this process along to be able to so they can get confirmation that they'll be able to water. I ran through the conservation steps that they do with them and I have a nice summary drafted up about that. There were some additional questions that the EPA had on the discharge permit that Mass Maritime has for their wastewater facility, really, is just more of a clarification, answer. The final thing was for the district to start thinking about a mitigation plan, and what that is is as the usage increases above .51 DEP will look for the district to offset the difference so the water that exceeds .51 to be able to offset that number, not the entire point of one. Right now, the usage for the past couple of years has been right at that number right at .51 so you could increase the .51, you know any year now, as you get new users on, and if we get that coupled with a drier year, that would come into play. They want to have you start thinking about those mitigation activities. We don't have to have mitigation activities defined for the response for the order to complete. Just start working on that. Some of the offset comes from just naturally having water go into septic systems, and also the new wastewater plant where that's going to have a recharge versus a discharge to a surface water, you get some points for that. The number that has to be offset is voltage drop down and some of the things that we'll be looking at to work with the town on is looking at lands that have been purchased for client conservation. You can get credits for those kinds of things. We will need the town to be a participant in the process going through and documenting what mitigation is already in place. You can take credit for mitigation back to 2005. There could be a bunch of things that we can check off that mitigation plan list that get you the offset that you need, without spending additional money. That's really what you want to capture first is what's already been put into place. Get that defined get DEP to agree to whatever credits, because it's, it's not always a direct credit. With the return for the septics, they give you a direct

number, but with things like purchase of land for conservation, it tends to be more of a point system that the EPA needs to agree to. And those were the items that were in the water to complete. I have a draft letter that I've sent over to Steve, and as soon as we get information officially from DCR we'll be able to draft up a statement for that response. Right now it looks like DCR's numbers are going to come in where they think they are and we'll be able to respond. We'd be happy with that. If they come in, lower than that, that's when we push back and say we disagree for these reasons, and the district needs more water, as we're asking. But it's all looking very positive right now.

Wendy asks if any of the commissioners have any questions for Kristin? I don't see any questions. Thank you for coming and updating us on the status of the DEP application.

Barry has a question. do you have a better feel now of the timeframe in actually seeing the end of the permit process when there's an authorization and when the final permit is released? Kristin says yes, she thinks it'll be quicker than what we were originally thinking it would be. She says we were going with the, "it's going to be at least a year" mindset, figuring that we'd hear about sometime in the fall. DEP is aware that this is a critical issue, they're getting calls. Mass Maritime calls the legislators and then they call, Wayne Lavangie with the Water Management Act program and then Wayne calls me and I talked to him a little bit about here's where things are and that's why we really want to keep things moving forward. DCR is aware of that too. Every time we can get something responded to more quickly we can shave off another few weeks, months even, if we weren't waiting for DCR we'd already be able to get what is complete in, and wouldn't have the whole 90 day period. I think DEP will do what they can to keep that schedule moving forward so we might hear in the summertime.

Barry says the only reason he asked that is, realizing that the town is not very happy with the district at this point, by not allowing any of the new growth. Realizing that some of that growth, the construction time is probably 12 months out. So Barry was wondering in your (Kristen's) past experience over the many communities that have allowed additional customer anticipation that they want to use would be 12 to 18 months.

Kristin says: When you're waiting for a permit I know there are cases where there have been instances where people agree to we have the water and then you almost set yourself up for the possibility of having a problem when you do that. So there's just that concern, so I know some systems have gotten themselves into a bind. The worst thing that can happen is that you end up with throwing more than your permit and tell DEP we need the water we told you we need the water. But that's really a decision for the board to make.

Barry says: I was just thinking if they kept getting a lot of the calls, is there a case there where the district could actually say to a couple of the ones are already at the top of the list they could move forward. It would do two things, that would kind of show a good faith that yes we are moving forward but it would also allow the district to collect the development fees that are needed right now for cash flow.

Kristin: I think that once we get the numbers of water needs, forecast numbers from DCR, we can do a call with DEP to say okay, these are the numbers. Here's the situation is DEP going to pull those numbers into the permit and agree with this and it can be a phone call so if they're nervous about why we can't put into writing till we go through this exact process very clearly because it's in the law, written that way. At least having that phone call would be helpful to know. All right, everybody's in agreement with

what the number is going to be, and then you can have some level of confidence to be able to make those approvals

Any other discussion, question?

Gary Maloney of Buzzards Bay. Are the documents available online yet for either the permit itself, or the DEP requested letter for our 90 day action. I talked about that last month and it seemed like it might be too big to scan in. I would think somebody has it electronically. We can find a way to post that, so people can read it. I was only able to find the DEP letter by getting it from the sewer commissioners meeting a week or two ago, where they referenced it as well. So, if those could be added to our district site in some way along with meeting minutes area or something like that. Maybe people would have commented, during the comment period, if they could have read what we were asking for. That's my first comment.

Wendy asks TK whether or not we can get something available electronically. TK states she hasn't seen the document or how large it is but I'm sure I can post it by PDF if they would like us to make that available.

Wendy asks how do the other commissioners feel? Do you think we should have it up on the website for availability?

Bob says he is fine with that.

Gary Maloney says he is viewing the Mass Maritime's request recently by the sewer commissioners and reading some other online documents. Are there certain categories of customers that we have no recourse that they can take what they want, whether we have it or not? That's one question. And then secondly, to just comment on what Barry said about the user fees. I think chasing user fees or future growth is very much a part of what got the sewer problem going. We chased user fees, instead of actually figuring out how we're going to pay for things as we went along in the current system, not hoping to grab money in cash flow by new users. Thank you.

Joe says I think one of the reasons we have to do this is because of the fact that we can't really increase our base. We are stuck with the 2400 subscribers and not a lot of residential type of development is going forward. So that's one of the reasons that all this is being discussed.

Gary: I believe in that. I understand that, but I was just wondering if like it is an educational institution, can they take what they want. Really, more or less like they can maybe not have to follow our housing for historical reasons or only having to file certain DEP action if it's within a certain proximity to a watershed, where a Conservation Commission can get involved. That's what I mean is can they give us a permit request, say, hey, you want it.

Barry: As a customer as a district there's no restrictions on what people can use. We've communicated with them that we need a certain limit. We try the voluntary water conservation, whether it be with the large users and or even down to the individual homeowner, you know every gallon counts. But as a customer of the district, who's paying the bills? We have no current bylaws that'll allow us to limit the amount of water when we take them on as a customer, it's assumed we will provide whatever they need. You do your best to try to get them to conserve, raising the rates is one of those ways but there are no limits when someone hooks up to say that this is X number of gallons that we're going to allow

you pulling that unless there's some type of, you know, legal situation and you try to do some enforcement. It's nothing the district has ever attempted to the best of my knowledge.

Gary: I should have mentioned this during the category discussion but there is other growth in town. I have numerous folks who are running Airbnbs around my house now with multiple families, multiple turnovers and units that were before only occupied by a single elderly person. And now I have regular tourists all around me on at least four properties within arm's reach of me. Those are all users that were never considered before. So I think we're going to also see a huge spike in that area and our selectmen are waiting to even get into it. Even our health department's not doing anything they're waiting for a bylaw to be written before they even begin to try any enforcement options. That's what they mentioned last week at the fin con meeting.

Wendy: As far as I'm aware of when I've talked to the current administration's office. There is no regulatory avenue for Airbnbs at this point.

Gary: We're not counting them as users yet but they're coming on fast. They're coming on fast using these properties.

Wendy: I believe that the district, the gesture toward about them as a hookup they would have had connection to the water so they were at one time authorized users. Am I correct Steve and Barry?

Steve: Yes, it's existing accounts that are being used his rental houses now pretty much, so the fees will still go back to the property owner.

Gary: I'm only talking about is your overall gallons usage. I agree the fees are being paid, maybe they're in a lower tier still, maybe they even pump up one tier, because they weren't using Intel based on usage.

Jim: I think there is a provision somewhat around what you were talking about, about restricting water. What I think it falls under if I'm correct, I've read it before under the emergency guidelines, if there was a problem with water or pumping water down the road and the commissioners deem that there was an emergency. I do believe at that time you can put a restriction on the amount of water being used. Barry, or, Steve, do you have any comment on that.

Steve: That would that would go in effect and it would pretty much restrict your irrigations and non essential watering, but not to a household, it's only that you can restrict a household from getting 100 gallons a day versus 400 gallons a day.

Wendy: Anything else in this category that someone wants to discuss?

Barry: Wendy just to add to either was either Gary or possibly Jim the comment, we have in the past, when we've had tough times keeping up. We have gone out to large customers. I know myself as example I went and fought with the Sudbury fire chief who was doing fire training over in the academy. We were basically almost bottoming out the tanks, and once again the fire chief and those on the ground at the Academy says that I can use the hydrants, we pay a fee to come in and use the facility. And I said well, you can't use it today, just got to shut down because it's killing us so that's the only way that I know of during my tenure there was, that was to go out and do outreach to the customers because the bottom line is we needed the water for our fire protection but for the domestic use for our customers. Similar to what we what we went through with the selectmen with the splashpad restrictions.

Wendy: Is there anything else, someone would like to discuss under this category?

Superintendent's Report

Steve: We've been working with mass highway on the east rotary pretty much for two months now. Identifying mains, finding mystery mains that they've come across. It's been a pretty much a full-time job. We've also started the ASR (Annual Statistical Report), and I hope to have it finished up and submitted by the end of the week. We've met with Kristin, a couple times in the past couple months about the permit, as she just went over. We assisted with Bourne Scenic Park on a water main break inside the park. We were trying to isolate the water for them so that they can get the contractors in to do the repairs.

Wendy: Was there any update on Old Bridge Rd.?

Steve: we did meet with them a couple of weeks ago, and it sounds like it's going to be pushed off to the fall now of 21.

Wendy: Anything else you'd like to ask him?

Jim: I read a report and I don't know if it was a newspaper article that there's six towns around the cape, one of them might be in Mashpee, that have an overflow of, I think it's called FPGAs or something like that where, where groundwater is getting contaminated, and they had to put in some extremely expensive filters in order to keep the drinking water. Do we have a safeguard in place for that? Or is there a way of forecasting something like that in case we ran into the same problem as I understand it is extremely expensive, and they had to do that on two of their pumps.
Steve: I think you're referring to is PFAS contaminants from the firefighter foam. We did do tests at wells, and they came back with no detects. Currently, we did test them at the end of the year.

Treasurer's Report

TK announced we booked the annual meeting for April 29 2021 at 6pm at the scenic Park Pavilion. She provided the year to date financials with everybody's meeting packet. Please let me know if you have any questions.

Commissioners Comments

Next regular Board of Commissioners meeting is scheduled for Tuesday April 6, 2021.

ADJOURNMENT

Galon "Skip" Barlow made a **MOTION** to adjourn the meeting at 5:16 pm. Joe Carrara seconded that motion, and all in favor. The motion passed unanimously.

Prepared by: TK Menesale, District Treasurer, Clerk
Buzzards Bay Water District