

ORLEANS, BREWSTER, EASTHAM GROUNDWATER PROTECTION DISTRICT

BOARD OF MANAGERS MEETING

DECEMBER 12, 2012

ORLEANS TOWN CLERK

'13 JAN 17 12:39PM

C. May

Board Present: John Kelly, Chairman, Orleans; Charles Sumner, Brewster; Martin McDonald, Eastham.

Others Present: Jay Burgess, Chief Operator; Cyndi Bachman, District Secretary
Jim Nowack, District Accountant; Beverly Carney, Orleans resident.

1. Meeting called to order at 9:05 a.m..
2. **A motion was made by Martin McDonald to approve the Board of Managers Minutes dated November 14, 2012 as amended. This motion was seconded by Charles Sumner and unanimously approved and passed.**
 - Martin McDonald asked if the Board could get copies of the preliminary report from Peter Weiskel, U.S.G.S., that was presented at the November 14th meeting.
 - Jay stated, probably not, but the plant has similar results. Previous testing done by U.S.G.S. has not changed, so I can get a copy of that to you.
 - John Kelly stated Peter's report last month was an interim report from U.S.G.S. and the final report will be ready in July 2013.
 - Jay stated he specifically asked Peter to have hand outs for that meeting, but Peter was very firm saying when the final report is ready he will hand it out.
 - Martin McDonald stated people should know that we are not getting the final report until July.
3. **Citizen's Forum:**
 - Beverly Carney, Orleans resident, asked if the Special Legislation has passed.
 - John Kelly stated it never made it through the House so the legislation would be re-filed in January .
 - Beverly Carney asked if there is any direction from this Board if the plant has a major breakdown could the District get funding from the three towns.
 - John Kelly stated the Board is not in a position to discuss that until decisions are made in terms of what direction the plant is going. The position all along has been clear that there is no money from the towns for the District.

- Charles Sumner stated if something happened to the plant and the District could not come up with the funding for the repair, the Board would talk about it at that time and make a decision whether to approach our three member towns.
- Beverly Carney asked if there is any inclination for the towns to put something in their capital improvement in case Tri-Town needed it?
- Charles Sumner stated if there was an emergency situation, it does not have to be in our capital fund. I can only represent Brewster's interest, and Brewster could handle it if needed.
- Martin McDonald stated we would not know what amount of funding to put aside.

4. Discussion on Jim Nowack's Letter re: Barnstable County Retirement Buy Back Years:

- John Kelly stated the Board has previously talked about Jim's letter regarding Barnstable County Buy Back Years, and the Board has a number of questions. Charles Sumner was going to contact Mark Zelinski, of Barnstable County Retirement. From our standpoint, there were a couple of issues. I don't believe Jim was eligible for retirement benefits under the arrangement he had with the District because he did not work a certain number of hours. That was one issue and then there was concern about the District taking on additional liability going forward.
- Charles Sumner stated he talked to Mark Zelinski of Barnstable County Retirement who indicated that this letter is perfectly fine and acceptable. All the Board is going to do is document when Jim worked, how much he worked, and credit him based upon a pro-rated basis. They will do a calculation based on these hours and send Jim a bill with 4% interest if he does it before March of 2013. Jim will pay all the costs associated with the retro. Jim is already an employee of the Nauset School District and a member of Barnstable County Retirement.
- Jim Nowack stated it will not cost the District anything. I am not an employee of the District, but a contracted service. I talked to Deb Cohen at Barnstable County Retirement and she said there are a lot of water districts with part-time people who do not qualify hourly but because they are doing the whole job, they are part of Barnstable County Retirement. With this letter, I can buy back three to four years instead of six months.

5. A motion was made by Charles Sumner that the Board vote to execute Jim Nowack's letter to Barnstable County Retirement dated November 14, 2012. This motion was seconded by Martin McDonald and unanimously approved and passed.

6. A motion was made by John Kelly to approve the District's bonuses in the amount of \$9,937.00. This motion was seconded by Charles Sumner and unanimously approved and passed.
7. A motion was made by Martin McDonald to approve the District's Winter Sale rates for January and February, as follows: In-District 6 cents per gallon, out-of-District 7 cents per gallon. This motion was seconded by Charles Sumner and unanimously approved and passed.
8. Chief Operator Updates – Jay Burgess:
 - **Process** – Nitrates were 16 mg/l; all other parameters were less than 10 mg/l.
 - **Maintenance** – We are working on scheduled maintenance and laser washing the filter press, which is a very high powered water stream that we use to take all the accumulated sludge off the bagging cloths so that the press can work efficiently.
 - **Dump Truck** – The brakes on the dump truck broke and are being repaired at Cape Cod Truck.
 - **Septage Tank Clean Out** - There are three 20 yard low riders and a vactor truck on the plant site today for the septage tank clean out. Hopefully it will be finished today. In addition to the price that was presented at the last meeting from Inland Water, we hired two additional laborers to come in and help us at the rate of \$25.00 an hour, and rented three twenty yard roll offs, which was not included in the bid price. We will also have the disposal cost at the Bourne Landfill. Additionally, we had to do \$800 of soil testing on the grit and rags that were in the tank to see if Bourne would accept it, and everything was acceptable.
 - **Training Class** – We had a small systems training class and confined space training class here yesterday. There were about twenty-five engineers and operators in attendance. Tom Bienkiewicz, head of the Department of Certification for the on-site systems and wastewater operators, taught the class. Tom stated that within two years the State is going to be handing off regulations to the Towns and wiping their hands of the whole thing. Title V is going to be Board of Health controlled. The competitiveness of the permit application is costing them too much staff time. DEP is more of an enforcement branch to make sure the systems are working and installed properly than approving systems that have already been approved. We will be scheduling another class if any of the Boards of Health are interested in attending. Along those lines, Jay stated he can go out and work on any small system with his licensing, but he cannot pop the cover on the tank if it is a Title V system and do an inspection on it. He stated he would have to go to a certification class, which he signed up for and was kicked out of because he was not a septage hauler. Only septage haulers are allowed to enter into this Title V class. If the Board would sponsor me at no cost to the District, by signing a letter stating you want me to be able to inspect wastewater systems through the town, I can re-sign up for the class.

- John Kelly asked Jay to inform him of the next class being held at the plant so that he can inform his staff. He also asked Jay to prepare a letter for the Board's signature regarding the Title V class that he would like to attend.
 - **U.S.G.S.** – Jay stated he will send copies of the last U.S.G.S. report that he has to the Board.
 - John Kelly stated if he would give him a copy of the report, he could scan it and put it on the Town's website
 - **Heating System** – The circuit board failed on the heating system but it was repaired. We ordered a new PLC computer. The one that we have been using is no longer effective. The basic computer cost was \$499 but we need to add the Scada software which will be around \$1200. I should have that completed in a week or two because I have no access to the machinery other than the main frame computer. If that goes down, the lap top comes in handy and I can go around to each panel and read everything to make sure it is doing what it is supposed to do.
9. The Board reviewed the District's bank balances.
10. **A motion was made by Martin McDonald to approve Treasury Warrant No. 6. for payment. This motion was seconded by Charles Sumner and unanimously approved and passed.**
11. **Any items for future Agendas:**
- Authorization for Jay Burgess to attend a Title V class to become a soil systems evaluator.
12. **A motion was made by Martin McDonald to adjourn the meeting at 10:02 a.m.. This motion was seconded by Charles Sumner and unanimously approved and passed.**

Respectfully submitted,

Cyndi Bachman

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District Secretary