

**MINUTES**  
**HARWICH WATER DEPARTMENT**  
**BOARD OF WATER/WASTEWATER COMMISSIONERS**  
Thursday, January 26, 2023  
11:30 a.m.

**WATER COMMISSIONER'S PRESENT:** Chair Gary Carreiro, Vice Chair Allin Thompson, Clerk Noreen Donahue, Commissioner Judith Underwood (via telephone), Commissioner John Gough

**OTHERS PRESENT:** Superintendent Dan Pelletier, Comptroller Sandra Sieger, Billing Administrator Wellesley Marsh, Administrative Assistant Tracey Alves, Homeowner of 108 Uncle Venies Rd, Homeowner of 1022 Queen Anne Rd, Attorney John Giorgio

**CALL TO ORDER**

Chair Carreiro called the meeting to order at 11:30 a.m.

**CONSENT AGENDA**

A. Minutes

1. November 30, 2022
2. December 14, 2022

Chair Carreiro motioned to approve the Consent Agenda. Vice Chair Thompson moved to approve the Consent Agenda with a second by Clerk Donahue. A roll call vote was taken; 4-0-0.

**ABATEMENTS**

A. Q2 Internal Adjustments

Clerk Donahue moved to approve the Q2 Internal Adjustments in the amount of \$8,073.46 and other fee adjustments in the amount of \$250.00. Vice Chair Thompson moved to approve the motion. A roll call vote was taken; 4-0-0.

B. 108 Uncle Venies Rd

Clerk Donahue moved to approve the abatement for 108 Uncle Venies Rd. Vice Chair Thompson seconded the motion. A roll call vote was taken; 4-0-0.

C. 1022 Queen Anne Rd

Commissioner Underwood motioned to abate \$1,044.00 for 1022 Queen Anne Rd. Vice Chair Thompson seconded the motion. A roll call vote was taken, all in favor; 5-0-0.

**OLD/UNFINISHED BUSINESS**

A. Well #4 Cleaning & Redevelopment Update

Superintendent Pelletier provided an overview to the Board of the Well #4 project. They cleaned and redeveloped well #4 and prior to reinstalling the pumping equipment they dropped a camera down into the well and it was discovered that the well casing is separating from the well screen.

Going unaddressed that risks complete failure of the well. If it were to fully collapse it could be \$250,000 to redrill the well.

The contractor proposed a change order looking to reline the well for \$8,420. Because it was under \$50,000 Superintendent Pelletier was able to keep the project moving, however he proposed moving money around in the budget for well rehab. We'd like to transfer money within the budget to support the ongoing well rehab projects. Superintendent is proposing moving \$12,460 from water main replacement and \$27,000 from building and grounds line items.

Clerk Donahue commented that we have funds in retained earnings and someday we have to figure out how to access it.

Superintendent Pelletier relayed that the change order has been executed and materials are on order. An update will be given soon.

#### B. Well #10 Update

The Department just received the letter from DEP giving approval to conduct the prolonged pump test for Well #10. The contract with GZA was preliminary investigative work, test wells and all of that leads up to a formal request for site exam from DEP. The prolonged pump test is part of the \$600k funding that we are going to Town Meeting for the Phase #2 of the Well #10 project. We are good to move forward subject to Town Meeting approval. The well will target 500-600 gallons a minute.

#### C. FY24 Water & Wastewater Budget

Superintendent Pelletier discussed the salary and wages line item on the water budget titled enhancement of services. This is a hybrid position for a 50/50 water/wastewater split employee position. Also included are the grade upgrades for the three administrative finance positions within the Department.

Instead of a 50/50 water/wastewater split employee the Board discussed adding a full-time position to wastewater so that water will remain fully staffed. The Board supported adding a full-time position to the wastewater side instead of the 50/50 split position. Superintendent Pelletier will make the adjustment to the water budget.

Superintendent Pelletier also highlighted a couple of the big changes on the budget.

The FY24 Wastewater budget was also reviewed.

#### D. 2022 Water Restrictions Hearings

The hearings are scheduled with the court for the ones that are contesting the fines.

#### E. Water Restrictions Bylaw & Special Legislation

The proposed changes to the current Water Restrictions Bylaw were discussed with Attorney John Giorgio of KP Law.

The Bylaw Attorney Giorgio drafted is based upon a Bylaw that was passed in Orleans. The Bylaw would isolate a new section called additional penalties which would include an increase in fine, from \$300 to \$500 but Special Legislation would be needed. This would give the ability for the Commission

to assess a civil penalty up to \$5,000 could be added with Special Legislation as well. If challenged, the town would have to file a civil complaint in Superior Court to collect that debt.

Attorney Giorgio discussed the concept of being able to add fines to the water bill. At a minimum a due process procedure would have to be put in before that could be done. A public hearing before the Commission would have to be held before the fine could be added. This Bylaw would also apply to private wells.

Clerk Donahue commented that the primary goal is the ease of the operation.

This draft Bylaw would give the Board another option to use even if the Department continues to use the ticketing process.

Attorney Giorgio reviewed the fine schedule with the Board. Clerk Donahue relayed that the Board would like for the first violation to be a warning, second violation is \$100 and third and subsequent violations are \$300.

It was requested that Attorney Giorgio remove language related to written warning. A reverse 911 call or an e-mail first warning would be sufficient.

A drought water rate could also be implemented.

The Board reviewed edits and typos within the Bylaw that they would like corrected and updated. The timeframes listed for watering will be removed.

Attorney Giorgio relayed that the Bylaw does not require a special act. We will isolate a separate section in the Bylaw that will isolate the provisions that we approved and that one cannot take effect until we get the Special Legislation but the rest of the Bylaw including fines and penalties will only need the approval of the Attorney General.

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## **NEW BUSINESS**

### **A. 2023 Draft SRF Intended Use Plan**

Superintendent Pelletier informed the Board that the Route 28 water main project did not make the cut. We will have to go to the market for that project.

### **B. Procurement Update**

Superintendent Pelletier provided the Board with a procurement update.

### **C. Billing Update**

Billing Administrator Marsh provided the Board with an update on billing. Due to the Town changing bill vendors, the quarterly bills have been delayed. As of today, the file will be uploaded to the vendor and the bills should be hitting the mail on Saturday. For this quarter only, our paperless customers will also receive a paper bill. Next quarter, their paperless status will resume. The due date will also be adjusted to make ample time for payment. Paperless customers will also be sent a reminder e-mail that the remit to mailing address for payments has changed.

## **SUPERINTENDENT'S REPORT**

Superintendent Pelletier relayed that the Conflict-of-Interest training is due again this year.



## COMMISSIONER'S REPORT

Clerk Donahue mentioned that the Water Management Act revisions came in and if we want to join a legal fight against them the paperwork may be around \$10,000 per Town. We can add this topic to an upcoming agenda.

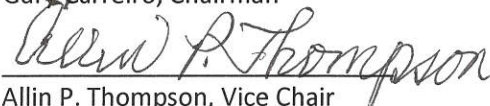
## NEXT MEETING


The next Board meeting will be held on Thursday, February 9, 2023 at 11:30 a.m.

## ADJOURNMENT

Chair Carreiro motioned to adjourn at 1:20 p.m. Clerk Donahue seconded the motion, all in favor; 5-0-0.

  
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Gary Carreiro, Chairman

  
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Allin P. Thompson, Vice Chair

  
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Noreen Donahue, Clerk

  
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Judith Underwood

  
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John Gough

  
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Dan Pelletier, Superintendent

  
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Tracey Alves, Board Secretary