

WEST BARNSTABLE FIRE DISTRICT
MINUTES – MARCH 30, 2022
JOINT MEETING WITH THE WEST BARNSTABLE WATER COMMISSIONERS

Present: Prudential Committee members Chairman Van Northcross, Ed Smith and Dhiraj Malkani (via Zoom); Water Commission members Chairman Mark Wirtanen and Kris Clark; District Treasurer Ray Pirrone; Chief Joe Maruca; Deputy Chief Dave Paananen; Legal Counsel Chuck Sabatt; District Clerk Elaine Grace; Assistant District Clerk Dan Furbush; and former Water Commissioner and member of the public Mark Nelson. Water Commissioner Lisa Hendrickson was not in attendance.

Call to Order:

Chairman Van Northcross called the joint meeting of the Prudential Committee and the Water Commissioners to order at 5:01 PM. The Pledge of Allegiance was recited by all present.

Clerk's Report:

Prudential Committee member Ed Smith motioned, and Prudential Committee member Dhiraj Malkani seconded, and the minutes of the February 16, 2022 Joint Meeting of the Prudential Committee and the Water Commissioners were unanimously approved as written.

Prudential Committee member Dhiraj Malkani motioned, and Prudential Committee member Ed Smith seconded, and the minutes of the March 10, 2022, March 23, 2022, and March 28, 2022 Prudential Committee meetings were unanimously approved as written.

District Clerk Elaine Grace reported the Annual District Report booklet was delivered to Sunderland Printing and they indicated it would be ready for mailing by April 12, 2022. The Warrant will be scheduled to run in the April 15, 2022 issue of The Barnstable Patriot.

Public Comment:

There was no public comment.

Public Discussion Meeting – April 13, 2022:

Mark Wirtanen, Chairman of the Water Commissioners, advised everything was set for the public informational meeting and presentation by the Water Commissioners and the Town of Barnstable DPW regarding potential development of public drinking water wells in West Barnstable on April 13, 2022 at 6:30 PM at the West Barnstable Community Building. Posters have been put in several places around the village, and it is advertised in Councilor Clark's newsletter. Kris Clark requested that it be posted on the West Barnstable Fire District website, along with a link to the DPW Water Supply Division report posted on the Town of Barnstable's website. Ms. Clark also advised that town staff plan to video the meeting and live stream it on Channel 18.

Dhiraj Malkani suggested that the questions asked by attendees (Ryan Coholan, Tony Lovell, George Zoto, and Priscilla Jones) at the February 16, 2022 meeting be shared with the Town so that they will have a heads up and a chance to respond knowledgeably. It was agreed Kris Clark would coordinate the questions and get them to the DPW participants.

Policy Discussion – Town of Barnstable Water Plan:

Attorney Sabatt began discussion between the Prudential Committee and the Water Commissioners regarding the District's authority regarding water resources. In answer to the question of whether the Town of Barnstable has the right to extract water from land in the West Barnstable Water District, Mr. Sabatt referred to the legislation which created the West Barnstable Water District. It states that the District has been given the authority to extract water within its jurisdictional limits. It can also obtain water within the Town of Barnstable and the Town of Sandwich.

Attorney Sabatt noted that there is no water district in Hyannis. The question asked is whether the Town of Barnstable is wearing the hat of water commissioners for the village of Hyannis.

If the Town of Barnstable utilizes the West Barnstable Water District's resources, then Attorney Sabatt believes the District should be compensated for the water they take.

It is the opinion of current town legal counsel that the Town is authorized to extract water from the resource in West Barnstable.

Currently, Centerville-Osterville-Marstons Mills Water District is extracting water from a well located within the West Barnstable Water District. At the present time, there seems to be no documentation of how that began and apparently it's been going on for about 40 years. This is another issue that needs to be looked into further. The well is at the edge of conservation land in West Barnstable, behind the Marstons Mills Airport and water is provided to Cape Cod Community College, Burger King and residents of Saddler Lane, among others, at a cost to the users. Water Commissioner Chairman Mark Wirtanen felt this sets a precedent – you're moving water from Point A to Point B and being compensated.

There was conversation about authorizing Attorney Sabatt to open discussion about compensation, should the Town endeavor to take water from the West Barnstable site.

Water Commissioner Kris Clark advised that it is the responsibility of the Water Commissioners, not the Prudential Committee to determine negotiations with the Town. Chief Maruca noted that the Prudential Committee has a role to play in any discussion with the Town concerning water issues. The District has already purchased land, been granted an easement and borrowed money to ensure protection of a well site. The next step is to decide who will meet with whom. Water Commissioner Clark felt it was premature to negotiate until we know the well is viable. Chief Maruca disagreed – why should the District wait to know before negotiating – the District needs to be pro-active – if the Town takes the water – here's the deal. The Chief also noted that operation of a well is years away – but it is important to establish a relationship and discussion now – not later. It is better to be prepared.

Resident Mark Nelson, a former West Barnstable Water Commissioner and an engineer had several comments to make concerning the potential well. Attorney Sabatt was told by town counsel that drawing water from the well won't even make a dent in this resource as far as West Barnstable is concerned. However, Mr. Nelson was very troubled by the fact that the well had only a limited 4 hour test. The statement that the volume of water was ten times higher than most other wells also concerns him about its long-term viability. He would like to see more documentation. He also stressed the complex geology of the area – sand and clay layers. He also noted that if the water needed to be treated for PFAS, then why bother running a water line there at all. Deputy Paananen asked about the effect of pumping from this site on private residential wells. Mr. Nelson responded that pumping from the proposed well site could divert water from the area and could affect other wells negatively. Mr.

Nelson also had concerns about permitting in a sensitive resource and the struggle with climate change. He felt much more documentation and information was needed from the town before going forward.

Mr. Malkani was concerned about the availability of water resources for West Barnstable if the well was developed for use in other areas of the town.

All parties to the discussion of developing a well site in the Bridge Creek conservation area will continue to research and gather information regarding this issue.

Treasurer's Report:

District Treasurer Ray Pirrone advised that the FY2021 audit is complete. Auditor Tony Roselli would like to make his presentation at the May 18th Prudential Committee meeting, probably via Zoom. FY2022 tax receipts are 6-7% ahead of budget, in part due to the Town's activity in regard to lien redemptions. Ambulance billing is significantly ahead of budget, around 37%. There has been substantial grant revenue this year, about \$196,756 in proceeds – Mr. Pirrone needs to match and tidy up the grant bookkeeping with Deputy Chief Paananen. Fire Department overtime is below budget, and other salaries are on budget. Accounts are reconciled. Overall, Mr. Pirrone expressed confidence that the District will be in good shape at the end of the fiscal year.

Chief Maruca remarked that there were no ambulance billing write-offs in February. There were 24 transports – 23 to Cape Cod Hospital and 1 to South Shore Hospital. Ambulance runs are ahead of the last two years, and the increase adds to revenue and the fire department can handle the volume. Cape Cod Hospital is due to be certified as a Level II Trauma hospital in the near future, which will cover most medical transports.

SUV Gift:

Barnstable Fire District has donated a 2008 Ford Explorer to the West Barnstable Fire Department. If operationally in good condition, and affordable, it will become the Chief's command vehicle. The Department is also anticipating the gift of a newer SUV from the Cotuit Fire Department that would be used as the Deputy Chief's command vehicle.

Prudential Committee member Ed Smith motioned, Prudential Committee member Dhiraji Malkani seconded, and it was unanimously voted, in a roll call vote, to accept the gift of a 2008 Ford Explorer SUV from the Barnstable Fire District for use by the West Barnstable Fire Department.

Chief's Ethics Disclosures:

Chief Maruca will be attending the National Volunteer Fire Council Spring Board Meeting on April 6-10, 2022 in Arlington, VA. Chief Maruca is a member of the Board of Directors.

Prudential Committee member Ed Smith motioned, and Prudential Committee member Dhiraj Malkani seconded, and it was unanimously voted, in a roll call vote, that the Chief's travel to the NVFC Board of Directors Meeting in April 6-10, 2022 and acceptance of the reimbursement for his travel by the MCVFA will serve a legitimate public purpose and the public purpose outweighs any special non-work-related benefit to the Chief.

Chief's Credit Card Review:

The review was deferred to the May Prudential Committee meeting.

Chief's Report:

The Chief discussed the issues surrounding the controversy regarding the use of PFOS in the manufacture of turn-out gear for firefighting. The issue was brought to national attention by the Nantucket Fire Department 3-4 years ago. There is not a lot of data, but it is thought that the PFOS used in turn-out gear leads to a number of health and safety issues and concerns, including mental health. There is on-going research into ways to manufacture gear without PFOS that will still provide the same level of protection, but the accuracy of simulation is difficult, and there are a lot of unknowns.

Van Northcross inquired if the District's cancer insurance would refuse to cover illness if firefighters are knowingly put into PFOS-containing turn-out gear. Chief Maruca advised the only gear available contains PFOS so they would have to cover an incident – there is no alternative gear manufactured. The issue with firefighting foam is already a class action suit, because the industry knew but didn't tell about the effects of using the foam.

The Chief advised the new class of recruits starts next Monday, April 4, 2022 at 6:30 PM. There are now 10 recruits. On April 21, 2022 they will start fire training Thursdays evenings and Sunday mornings, and also regular training nights on Tuesdays. By the end of June, they will be assigned to response groups and begin on-the-job training during July and August. In December, testing for Massachusetts Firefighter I and II will take place.

The Chief advised there are no complex incidents or issues at the present time.

Deputy Chief's Report:

Deputy Paananen advised that the committee to replace Engine-Tanker #296 met with the sales representative from the collective and the numbers from the collective's contracts don't look very good. The Committee plans to invite different vendors to meet with them to discuss costs.

At 5:09 PM, Prudential Committee member Ed Smith motioned, Prudential Committee member Dhiraj Malkani seconded, and it was unanimously voted, in a roll call vote, that the Prudential Committee go into Executive Session for the purpose of discussing collective bargaining, and not to reconvene in public session.

Respectfully submitted,

Elaine Grace, District Clerk