

# West Barnstable Water Commissioners

February 7, 2019

5:00pm

West Barnstable Fire Station

2160 Meetinghouse Way, West Barnstable, MA 02668

Present: Arne Ojala, Mark Wirtanen and Kris Clark

Also present: Edward Smith and Stuart Schulman, West Barnstable Prudential Committee members

Chairman Ojala opened the meeting at 5:03pm.

1) Arne mentioned that he read the supporting documents that Elaine sent us. In the *An Act Establishing the West Barnstable Water District*, under section 2 (page one), he read "The district is not authorized to provide water to other persons or entities". Stuart asked if that's the intent of the enabling legislation. Ed mentioned that Attorney Doug Murphy did a lot of work on that well and that perhaps he has copies of the documents that he prepared. Dan Mullen might know, but he is not well at this time.

It was noted that on the copy of that document, "*An Act...*", there were no signatures, no date and looked like the document had been stapled. So perhaps it isn't a final document. Then Chief Maruca gave us a copy of the legislation that was filed with the state, Chapter 315 of 1966, *An Act Authorizing the West Barnstable Fire District To Supply Itself And Its Inhabitants With Water*. Arne mentioned that we need more research before taking any action. He also noted that other water districts have wells in our District, particularly, COMM.

MOTION: by Arne; Seconded by Mark:

Endeavor to obtain an opinion from our District counselor to see if it is permissible to sell our municipal water to another entity outside of the District.

UNANIMOUS APPROVAL

MOTION: by Kris; Seconded by Mark:

To send a letter to Chuck Sabatt, our attorney for the District, for his opinion on the request made to the Water Commissioners as it relates to our enabling legislation, sending him the letter from the Prudential Committee outlining that request and asking his opinion on how we should proceed.

UNANIMOUS APPROVAL

Mark mentioned that this is doable. After we receive Attorney Sabatt's reply, perhaps we should ask neighboring districts if there is any interest. It was suggested that we have another meeting after we get his reply.

2) There was a discussion of our meeting of February 27, 2018

MOTION: by Arne; Seconded by Mark:

To approve the minutes of February 27, 2018 as drafted.

UNANIMOUS APPROVAL

3) The content for our annual report was discussed. Arne mentioned that we can report the test results for PFAS. Otherwise, this year's annual report will be similar to last year's.

4) There was mention that the easement from the Town of Barnstable's Conservation Commission on the land where our municipal well is located has a 25-year lease and that will be up on October 20, 2022.

MOTION: by Arne; Seconded by Kris:

To amend the letter to Attorney Sabatt asking his opinion on our course of action to address extending our easement from the Town of Barnstable's Conservation Commission prior to its expiration.

UNANIMOUS APPROVAL.

MOTION: by Kris; Seconded by Mark:

To adjourn. UNANIMOUS APPROVAL.

Meeting adjourned at 6:03pm.

Respectfully submitted

Kris Clark, Clerk

A handwritten signature in blue ink that reads "Kris Clark". The signature is written in a cursive, flowing style.