

**TOWN OF JAMESTOWN
BOARD OF WATER AND SEWER COMMISSIONERS
PUBLIC HEARING
MUNICIPAL WATER CONSERVATION MEASURES FOR SUMMER 2007**

Monday, July 2, 2007

A Public Hearing held by the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Philomenian Library, Sydney L. Wright Museum Room, 26 North Road at 7:01 PM by Commission President David J. Long.

Present were:

William A. Kelly
Michael F. Schnack
Barbara A. Szepatowski

Also present were:

Bruce Keiser, Town Administrator
Steven J. Goslee, Public Works Director
Denise Jennings, Water and Sewer Clerk

Others present were:

Juan Mariscal, Water Resources Board

Absent:

Julio DiGiando, Vice-President

Juan Mariscal stated that he was present only as a concerned citizen and not to discuss the Water Resources Board Report re: notice of non-compliance. Mr. Mariscal further stated that he will not speak without his attorney and suggested that the Commission do the same.

Commission President Long stated that the purpose of the Public Hearing was to consider the draft of the Municipal Water Conservation Measures for Summer 2007 and to possibly ease up on the current water restrictions.

The Public Works Director reported that the reservoir level is down one foot. Commissioners Schnack and Kelly asked the Public Works Director for clarification regarding the process for measuring the reservoir. The Public Works Director briefly described the process.

Commissioner Schnack referred to Section 15A entitled **Limitations on Use**, Subsection 7(a) and stated that since the reservoir is 12 inches below the spillway the Commission **can not** ease up on the water restrictions.

Clerks note: Regulation 15A Limitation on Use, Subsection 7(a) reads as follows:

7. The Commission may temporarily suspend all or part of the Limitations on Use set forth in subsections 2, 3 and 4 above, for such period or periods of time and/or upon such terms and conditions it deems appropriate at a public hearing and upon a four-fifths (4/5) vote of all members of the Commission and after meeting one of the conditions set forth in subsections a & b below and upon a finding, upon a preponderance of the evidence, that it is satisfied that rainfall, other meteorological conditions, North Reservoir height, projected water usage needs, and other factors it deems pertinent establish that the suspension will not compromise the ability of the Commission to supply customers with adequate amounts of potable water for the foreseeable future, and that the suspension will not contribute to conditions

inimical to the public health, safety, welfare or to the Town of Jamestown Water Supply Management Plan. The reason for and the dates comprising the period of suspension shall be set forth in the decision of Commission. However, the Commission may terminate the suspension at any time if it determines at public hearing and upon majority vote that a preponderance of evidence shows that conditions require reinstatement of the suspended subsection or subsections. Notice of public hearings hereunder shall be published in a newspaper of general circulation within the Town of Jamestown at least seven (7) days before the hearing. Notices of suspension, termination and/or reinstatement shall be published in such a newspaper within seven (7) days of the Commission's action.

a.) The height of North Reservoir is no more than six (6) inches below the top of the spillway.

Commission consensus: To not ease up on the water restrictions.

ADJOURNMENT

There being no further business before the Commission, motion was made and seconded to adjourn the public hearing at 7:10 PM.

Attest:

Denise Jennings
Water and Sewer Clerk

xc: Commission Members (5)
Town Administrator
Town Solicitor
Public Works Director
Town Clerk