

Minutes of the Meeting of the Board of Water Commissioners
Monday, January 11, 2010
North Brookfield Water Treatment Facility, 14 Bell Road, North Brookfield, MA

Present: Tim Nason, Jim Kularski, John Thomasian, Stephen Jones and Shiela LeBlanc – Recording Secretary

Absent: None

Guests: Scott Charpentier – Lenard Engineering, Roger and Sheryl Davis – 16 Bell Road, North Brookfield

Meeting opened: 6:00PM

1. **Mr. Nason made and Mr. Thomasian seconded a motion to approve the minutes of the November 9, 2009 meeting as written. So voted.**
2. **16 Sunset Drive** – Mr. Jones updated the Board on this item. The new owner of John Krussell's house at 16 Sunset Drive, Roger Davis, called about the low water pressure at his house. His pressure gauge showed 13 psi. Mr. Jones went down with our pressure gauge to make sure the reading was correct. He measured at a lower point and found the pressure to be 16 psi.

The Massachusetts DEP guidelines reads, under Water Main Design, all water mains, including those not designed to provide fire protection, shall be sized after a hydraulic analysis based on flow demands and pressure requirements. The system shall be designed to maintain a minimum pressure of 20 psi at ground level at all points in the distribution system under all conditions of flow.

These are guidelines, not laws. However, DEP has the authority under MGL Chapter 111, Section 160 to require a specific entity to comply with a guideline.

Mr. Davis informed the Board that he has been told that he needs a booster pump and a tank to resolve this issue. He is here to ask the Board to come to some sort of agreement on the cost. He is not definite but has been told that it could cost about \$700.00.

Mr. Nason noted that another residence on Mount Pleasant Place had a pressure problem and they paid for their own. He asked what the former owner did? He apparently lived with it.

Mr. Davis asked if he installed this could it be taken off the water bill. Mr. Jones explained that it could not be taken off the water bill due to the way the water rates are calculated. Mr. Davis stated that since the town does have a guideline on what is acceptable..... Mr. Nason noted that the water system was in way before the house was built.

Mr. Kularski asked Mr. Davis and Mr. Jones to speak to their respective plumbers and get a price on a pump and an expansion tank. Mr. Davis is to get the price to Mr. Jones and the Board will take this issue under advisement until the next meeting.

**** At this time Mr. & Mrs. Davis left the meeting****

The Board discussed the booster pump system versus a pressure reducer. Mr. Nason feels that if there was a problem it should have been brought up during the sale. Mr. Thomasian also noted that you have this same situation on Witt Drive. If you do one you have to do them all.

Mr. Jones noted that any decision the Board made regarding this issue would be setting precedent. The other way to go is a booster station. Mr. Nason pointed out that you have a lot of people that have installed their own and others that have installed pressure regulators.

Mr. Jones noted that he found this in the guidelines. It is not a law but they could push it and D.E.P. could make us do this. We do have it in our rules and regulations for new houses.

The Board will review the prices at the next meeting.

3. **Horse Pond Dam Engineers Report** – Scott Charpentier, Project Engineer was present to review the estimated construction costs on the dam repair.

Mr. Jones updated the Board on this project as follows: Lenard Engineering has subcontracted EcoTec to do the environmental work for the Dam project and they filed the Notice of Intent with the Conservation Commission which held a Public Hearing on the submission in November. Scott Morrison from EcoTec, Karen Fung from Lenard, Mr. Nason and Mr. Jones attended the hearing and Scott gave a presentation on what will be done. The big thing is that to be able to strengthen the dam, it will be buttressed on the downstream side, which is going to alter approximately 4,000 square feet of the wetlands. Because of this, 4,000 sq' of wetlands will have to be replicated and EcoTec is proposing to do this on the east side of the stilling pond.

The Massachusetts Environmental Protection Agency Scoping Session was held on December 3rd. Representatives from DEP and MEPA attended, along with all the members of the Conservation Commission, Scott Chapenetier, Project manager from Lenard, Scott Morrison from EcoTec, Mary Walter from the Board of Selectmen, and Mr. Jones. A meeting and presentation was held here at the treatment plant and a walkthrough at the dam took place afterwards. Again, the emphasis was on the affect on the wetlands.

Mr. Charpentier reviewed some of the alternatives they looked at and how they ended up with this design for repairs. He also reviewed with the Board the estimated costs associated with this work. He explained some of the higher price items such as the knife gate and weir board set up explaining the justification for this increased costs. He explained that this is now a million dollar project. He explained that we run into trouble with the cement floor and they are requiring that all bidders carry \$50,000.00 in their bid for any problems with the cement floor.

Mr. Charpentier noted that it is very important to have accurate figures where we are looking at USDA funding. Loan money is used first and then the grant money comes in. So if we are way over we could loose out on some grant money.

Mr. Charpentier noted that bids are coming in very competitive now. The USDA has very strict funding requirements.

The Board made some suggestion on what they felt should be changed to pare this down. Scott noted that some of the prices are based on Mass Highway prices.

The Board asked that Mr. Charpentier makes the suggested changes and revamp the numbers. Mr. Charpentier will have the adjusted figures to the Board and then we need to send a letter to the Board of Selectmen requesting to meet with them on January 19, 2010 and review the new numbers and the project itself. We will also need to discuss who will be paying for this loan.

Scott Charpentier feels that the repairs will take up to one year to complete. Due to this Mr. Jones has already requested and received another extension of time from the Office of Dam Safety. The new completion date is January 31, 2010. This probably still will not be enough time, but they only give out 6 - month extensions.

****Mr. Charpentier left the meeting at 7:20 pm.****

4. Horse Pond Fishing Policy – Mr. Jones recapped that DEP has cited North Brookfield for not having a written policy regarding the Horse Pond Reservoir. The state law reads:

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

310 CMR 22.00: DRINKING WATER

22.20B: Surface Water Supply Protection

(6) No person shall swim, wade or bathe in any public surface water source and ***no person shall, unless permitted by written permit by the Board of Water Commissioners or like body having jurisdiction over such source, fish in;*** enter or go in any boat,

seaplane, or other vehicle; enter upon the ice for any purpose, including the cutting or taking of ice; or cause or allow any animal to go into, or upon, any surface water source or tributary thereto.

The Board voted to prohibit everything, including fishing at the October meeting and then rescinded the policy at November meeting. As of today we are back at the beginning, being in violation of the DEP Sanitary Survey, having no policy for the Horse Pond reservoir.

Mr. Jones has corresponded with Kathy Romero from the Massachusetts Department of Environmental Protection's Drinking Water Resource Protection section in regards to interpreting the law. She stated there is absolutely no swimming, wading or bathing and you have to have a written permit process in place for the fishing. You may be able to have some educational material for the permit.

We need to have rules and regulations for access & use for the Horse Pond Reservoir. Whatever you decide on tonight we will add to the Water Department's Rules & Regulations

Mr. Jones feels that the focus should be on protecting the water in the Horse Pond Reservoir instead of on fishing. Horse Pond is North Brookfield's only drinking water supply and needs to be protected from any and all possible sources of contamination. He could see allowing shore fishing for town residents with a written permit policy in place. He cannot support ice fishing or any access to the ice for any reason due to the possible contamination from fuel products used in augers, stoves, heaters, or vehicles. He was up to the reservoir this morning and could see where vehicles had been out on the ice this past weekend. To him, this is something that should not be allowed, the health and safety of the people of North Brookfield is at stake here.

The Board came up with the following regulations:

Horse Pond Reservoir Fishing Permit Policies

1. Absolutely no swimming, wading or bathing in reservoir
2. No boats
3. No vehicles or recreational vehicles of any form on ice or in reservoir area
4. Manual augers only.
5. No fires on ice or in area of the reservoir
6. No petroleum products on ice or in vicinity of Horse Pond.
7. No animals on ice or in vicinity of the reservoir
8. All trash is the responsibility of permit holder
9. Permits are non-transferable.
10. One time fee of \$5.00 per permit.
11. Permit fee and accompanying paperwork must be received and approved prior to issuance of Horse Pond Fishing Permit by the Board of Water Commissioners

12. Each person fishing must hold a valid fishing permit.
13. All fishing is at risk of permit holder whether it be shore or ice fishing.
14. Failure to comply with these regulations will result in forfeiture of Horse Pond Reservoir fishing permit.

Also, release, absolve, indemnify and agree to hold harmless the Town of North Brookfield, North Brookfield Water Department and its Officials in the case of any incidents or injuries that may occur when using this area for fishing purposes. Permittee understands that they are fishing at own risk.

Mr. Thomasian made and Mr. Nason seconded a motion to adopt the above regulations for fishing on Horse Pond. So voted.

Mr. Jones suggested that we send a letter to the Board of Selectmen to make them aware of the new decision and policy. He also noted that this information must be sent to Ed Gates at Mass D.E.P.

4. **Town Collector Correspondence** – Mr. Jones recapped, the Board had sent a letter to the Town Collector asking for an estimate on the increase on costs that quarterly billing would cause. We have not received any response. Selectman Mary Walter visited the office to have Shiela explain to her how the billing process worked. Mr. Jones asked about your letter and she said that any correspondence should have gone to the Board of Selectmen and not to the Town Collector. She said to tell you that they are “working on it.”

Mrs. LeBlanc informed the Board that the Town Collector has removed the \$15.00 in fees as requested by the Board from 192 North Main Street. Mrs. LeBlanc will send them a statement and a letter regarding the balance.

The Town Collector would like to include a notice with our bills regarding paying on line. At this time we have not heard back from Unibank on whether this program is compatible with theirs. Mrs. LeBlanc is not sure how the process works we don't even know if it will work with their program never mind how to run it ourselves.

The Board asked that nothing be included in with the water bills unless this program is up and running and we know who has to do what to work it.

Mrs. LeBlanc also brought up to the Board that payment plans that were made in the fall. She noted that there are a few people that have not honored their promise to make their weekly payments. So at this point they have the remainder of their other bill plus their new bill that must be paid in full by June.

After some discussion, the Board of Water Commissioners asked that the bills be pulled and a letter stating that due to the fact they did not honor their

payment plan, they will not be allowed another payment plan and all bills must be paid in full or the water will be shut off.

5. **Conflict of Interest Law** - Mr. Jones had this on the December agenda because it was fairly new but he thinks everyone knows about it by now. We have all taken the test that is required and passed it. The Board of Water Commissioners also needs to do the exam to remain on the board. Mr. Kularski has spoken to Sheila Buzzell and she recommended that Joe Flamand also take this exam.
6. **3rd Operator** – Mr. Jones, Tim Nason and Jim Kularski met with the Board of Selectmen regarding the 3rd Operator. We had sent in the information they had asked for at the last meeting. Jim gave a nice presentation on why the 3rd Operator is needed and the Board of Selectmen went along, with the caveat that we need to discuss it with the Finance Board and that the voters would have the final say.

Mr. Kularski would like to invite the Finance Board up here for a walk through. Mr. Thomasian stated that people felt that this is the wrong time. He doesn't feel that it will pass at town meeting. He agrees that we need a third operator but he is not certain that the time is right.

Both Mr. Nason and Mr. Kularski disagreed with Mr. Thomasian they feel that the knowledge will walk out the door with Steve and Richie and they would like to see someone in place. They both feel that there is never a good time for this. We have been putting it off.

Mr. Thomaian stated that his concern is the current economy. Mr. Kularski would like to see someone on board and fully trained.

Mr. Kularski noted that he would be willing to come up on a Saturday sooner rather than later to do the walk through with the Finance Board. We still need to bring it to town meeting whether they recommend it or not. Mr. Kularski would still like to take them through the process.

The Board asked that a letter be sent to the Finance Board inviting them to schedule a walk through.

7. **Budget Correspondence** – Mr. Jones attended the budget meeting in November put on by the Finance Board and the Board of Selectmen for all Departments. The Bottom line is that they have asked us all to submit two budgets, one level funded and one with a 10% cut. Last year our budget was \$870,000 but it included the MWPAT pass through money so our actual operating budget was \$670,000. We would be expected to cut \$67,000 in the 10% cut budget. He is sure he doesn't have to tell you that that amount of money will cause major changes in our program. He feels we shouldn't have

to cut the budget at all because we are not subsidized by the state the way the town budget is.

The Board of Selectmen and Finance Board are also asking that all accounts be broken down into line items to show where the money goes. In most cases we do this already. There are a couple of accounts that we will have to break down further. The Building & Maintenance, Materials and Supplies, and Office Supplies accounts will have to be broken down further.

We have been told that our budget is not due until March 1. In the past our budget was due on January 31 as all town budgets were. State law allows enterprise-funded departments until March to submit their budget. The Board of Selectmen has decided to follow state law this year.

On the level funded budget, Mr. Jones would like to add a 3.5% raise for all employees. He justifies this by going back to last year when the Finance Board Chairman came to a meeting and asked the Board to cancel the raises that were in the budget at the time. The Board refused to remove the raises. The Finance Board members made a big deal about how it was for the good of the town, even though by removing our raises it would not make a difference in the problems the town was facing. They gave us the impression that all town employees were forgoing a raise. All three of the water department employees gave up their raises on their own, for the good of the town. It was quite a surprise to all of us when we found out at the town meeting that the largest group of employees in the town had not given up their raises. This was the teachers. Mr. Jones feels we were taken advantage of and that we should go for a raise for this fiscal year. The inflation rate for last year was 3.85%, but for this year it is down .2% through October. This works out to an increase of 3.65% in the inflation rate over the past two years. A 3.5% raise for all employees and commissioners will be an increase in the budget of \$4,500.00, which he feels he can make up by lowering other costs. He asked if the Board agreed with this increase?

The Board agreed that the raises should be included in the budget submittal.

We have finished the rough draft of the level funded budget and will have it and the 10% cut budget and the 3rd operator budget ready for the February meeting.

8. **Electrical Supply** - Our 3 year electric supply contract with Constellation New Energy came to an end on December 12th. Mr. Jones compared prices for a one-year contract from Constellation with Hampshire Power, a group from the Hampshire County that had given a presentation to the Board of Selectmen that Mr. Kularski and Mr. Jones attended. Hampshire Power's price was 8.2 cents and Constellation's was 9 cents therefore he chose Hampshire Power. The one difference is that Hampshire only has one-year

contracts whereas Constellation goes up to 5 years. The selectmen have signed the contract and Hampshire Power now supplies us for the next year.

9. **Budget Shortfall** – Mrs. LeBlanc reviewed the letter she had submitted to the Board regarding the incorrect budgeting of the interest payment on the treatment plant debt. She explained that when providing the figures for the budget she used the incorrect repayment plan.

Mr. Jones stated that the reason we bring this up to the board is that we may need to make a transfer from the retained earning account to cover any shortfall. The transfer would have to be at the special town meeting held before the annual town meeting and the article would have to be handed in March.

We may have enough money to cover this. At the suggestion of the town treasurer we had budgeted \$10,000 for FY 2010 for the cost of borrowing money for the engineering of the Horse Pond Dam repair project. Due to the way the loan has been structured, we now know there won't be any need for the \$10,000 this year. This money can go towards the shortfall. We may have enough money to cover the \$5,000 but we should be prepared to include an article for the special town meeting in May to transfer this money from Retained Earnings to where it will be needed.

The other problem that will occur is that this shortage will in affect cut next years budget by \$15,000.

10. **Retained Earnings** – Mr. Jones stated that he would like to take a minute to explain the difference between the surplus account that we used to have and the retained earning account that we now have. Before we became an enterprise system, the money we spent came from income that we received and when that ran out the town accountant would use the tax revenue until we collected enough money to pay it back. The surplus account was used to pay the bills but we also used it as a savings account in that we would transfer money out of it to pay for things that weren't budgeted for. For example, we used a lot of the surplus money to replace the water lines on Madbrook Road. When we switched to the Enterprise account system, the surplus account became the Retained Earnings account. The difference is that we are using this account to pay bills and we are not supposed to be using town money any more. In return we get to keep the interest on this account. The problem at the moment is that our retained earnings account does not have enough money in it to pay the bills in July. The reason for this is that we have a large debt payment due at the beginning of July. This is also the point that we are at the lowest amount of money in the account because we only bill twice a year and the last collection was in February. He brings this up for a couple of reason. First is that he recommends that we do not transfer any money out of retained earnings unless it is an emergency. We need to try to save enough money in the annual budget to build up this account and that is the goal that he is aiming

at. The second thing is that this is the reason that we need to move to quarterly billing. If we collected money four times a year we would not have this cash flow problem.

At this point we are not functioning as an enterprise because of this payment in July. The town hasn't charged us to use their money for the July bills but it could happen at some point.

Mr. Thomasian question why we aren't billing quarterly. Mr. Jones explained that we have sent our a letter requesting a quote on how much it would cost to collect quarterly and the Selectmen have said they are working on it.

Mr. Thomasian stated that he realized that it is better for our department and we have talked about but wondered why it never gets beyond that point. Mr. Jones explained that there are problems in the Town Collector's Office and she doesn't have time to do it and she collects other bills at that time and it would double her work load, which means she would have to charge us more but we haven't even gotten that far yet. We need to keep this on the front burner.

11. **Sewer Dept. Minimum billing fee proposal** – Mr. Jones told the Board that he feels that there are set fees that we have to pay even if we don't pump a drop of water. He felt that way nine years ago and he still feels that way. He realizes that sewer's proposal of a minimum fee of \$134.00 would cover every thing but he feels the \$134 that the sewer department has proposed is too high and would impact senior citizens the most. He would recommend starting with a \$50.00 minimum per meter per bill.

Mr. Thomasian agreed with Mr. Jones because we have an infrastructure here that whether we pump a gallon or not we still have to pay.

Mr. Kularski asked if there was some way we could run a mock bill to see how the bills would look for a \$50.00 minimum fee. Mrs. LeBlanc stated that she was pretty sure she could do it before these bills went out.

It would be smart to have a public hearing regarding the rates if you decide to change. Mrs. LeBlanc suggested that they give time to notify the water users and hold your public hearing before moving forward.

Mr. Kularski also asked that we send an email to the Sewer Department and inform them that the earliest we could even think about this change is in fiscal year 2011 and that we will be reviewing numbers as they are available and will keep them up to date as we go along.

12. **Right of Way Survey** – Mr. Jones explained to the Board that during the shutoffs in November we came upon a broken curb stop on Sunset Drive. The curbstop is located behind the house because the main runs from the treatment

plant, down through the woods to Bell St. We have a right of way for this main and Mr. Jones will have to use this right of way to get to the curbstop. The problem is that the right of way is plugged up with trees, stacked wood and a camper. He feels that we should have the row surveyed so we will know exactly where it is so we can either ask the homeowners to move their belongings or to cut the trees down so that we can get at the curbstop. He would like to get an estimate of the cost to do this to see whether we can pay for it out of this year's budget or put it in next year's budget.

Mr. Thomasian stated that you could be looking at a couple thousand for the survey. As time permits Mr. Jones will move forward with this.

13. **Energy Audit Update** - To recap, the state has awarded money for three energy saving improvement that were recommended by Tom Bowman, the engineer that conducted the energy audit. A water-to-water heat transfer pump was recommended for the Raw Water Pump Station at a cost of approximately \$15,000. When Mr. Bowman first ran the numbers in regards to payback, he was under the impression that we pumped 24/7. The payback would have been in 11 years pumping all the time. Once Mr. Bowman was hired to design these projects, Mr. Jones corrected this mistake and told him that we pump between 6 and 10 hours per day. At the time he said this would not be a problem, they could work around it. A couple of weeks ago Mr. Bowman ran the numbers again, with the new pumping hours and came up with a 35-year payback. He then called the Department of Energy Resources to tell them about the longer payback and they cancelled the project. They have told Mr. Jones we could replace that project so he is looking to add more insulation in the WTP with the money so he has been arranging for quotes to add the insulation. He is looking for 6" of blown in insulation in the attics and 6" fiberglass on top of the drop ceiling.

Mr. Bowman also recommended installing fire retardant rigid insulation on the block walls above the drop ceiling in the office areas. Two thousand dollars was awarded for this project. Mr. Jones contacted 4 contractors in North Brookfield and asked for quotes. Not one of them got back to him with a quote. He will not pursue this project anymore, instead putting time and the money into installing the insulation in the attic and on the drop ceiling.

The last project was the infrared heater at the Water Treatment Plant. Mr. Bowman has looked at the plans and has decided the gas lines are not correct for this type of project. They convert to high pressure outdoors by the tanks and the infrared furnaces need the lower pressure. Mr. Jones asked why the gas lines couldn't be changed, especially now that the RWPS project is not going forward and there should be plenty of money leftover. He wasn't to supportive of this but said he would contact the gas inspector to see whether this could be done.

14. **CDBG Update** – Mr. Jones informed the Board that he is a little behind on this because things have gone on the last two weeks that he hasn't been here.

Lenard Engineering finished the preliminary design for the Maple Street Project with a cost estimate. He included them in the packet last month. He brought the design to the next CDBG meeting and at that point our project was the only one that had gone far enough to warrant consideration. At the next meeting it was confirmed that our project would be the only one to move forward. The State had some questions about the Slum & Blight designation and Tim Hansen from CMRP was going to deal with that. Steve Cummings was editing the Community Development strategy and would present it to the Board of Selectmen. It wasn't done at their meeting on December 22nd but it may have gotten done last week. The Public hearing on the Maple Street project is still planned for mid January. Mr. Jones read about this in the paper. Mr. Jones is not sure if this slum and blight designation has gone through. If it hasn't then none of this will get paid for and everything is out the window.

Mr. Jones commented on the plan that was submitted by Lenard. What was done was a full-blown project and a lot of it is highway stuff. There is a lot of drainage there. Scott Charpentier and Tim Hansen felt that they had a better chance of it going through if we did a whole project of highway and water instead of just a small water project. This would have been grant money. We now have this plan and if the slum and blight does not go through then we are done, the project is over.

15. **MA WARN** - At the selectmen's meeting regarding the 3rd operator we also met with them about MAWARN. Mr. Jones had sent in the information and contract to them and they had some questions. Mr. Jones gave a talk explaining the MAWARN system and why it would be good for North Brookfield. Mr. Kularski and Mr. Jones answered questions from the selectmen and they ended up signing the agreement. We have sent it in and are now are an official member. One of 53 towns in Massachusetts.
16. **Superintendents Report – Meter Readings** - The biannual reading of meters was completed last week. Shiela is now working on the readings and will be sending out the bills at the end of the month.

Leak Detection - Mr. Jones reported on the 2009 leak detection survey at a previous meeting. We have since received the report from the company that did the survey so he included it in last month's packet.

The new **Chemical Safety Rules** went into affect at the end of December. For us it meant changing over the regular plugs on 2 of our chemical pumps to twist lock plugs and changing over the receptacles to twist lock sockets. We also refitted the 2 replacement pumps and the total came to \$560 worth of equipment. This new Chemical Safety rule is the result of what happened in Spencer a few years ago. We are very fortunate in that our system is fairly new and we didn't have to make large expensive type changes.

Beavers - Mac Speicher removed one beaver from the Stelmokas property last month. The turbidity has dropped by 30% since then. Although it costs us

money to have the beavers trapped out, the cost is more than made up by the extra treatment costs due to the dirty water from the beaver dams.

Surgery - As you know, Mr. Jones has been out for the past 13 days due to a knee injury that occurred here at work. He had torn cartilage repaired on December 29th and was cleared to come back to work today. He is not yet 100% and has been told it will take up to 12 weeks to heal totally. He thanked everyone for the fruit basket and the gift certificate to the Wok Inn. It was very much appreciated.

17. **New Business** – Mrs. LeBlanc explained to the Board that a group called **Common Cause Massachusetts** has sent a letter to the town asking if the town departments would be interested in posting our agendas and minutes on the town website.

Mrs. LeBlanc noted that all she would have to do is email the minutes after they have been approved to Priscilla Johnson and she would be posting them to the website. The agendas may be an issue because they won't be posted much in advance of the meeting. The earliest it would be there would be Monday mornings.

The Board had no problems with the posting of the minutes as long as it doesn't create more work for the Administrative Assistant. The Sewer Department and Selectmen already participate.

The Board was in favor of posting the minutes from this date forward.

Re-visit Budget – Mr. Nason feels that the 3.5% pay increase should be on the employees and not the Commissioners. The rest of the Board agreed.

Meeting adjourned: 8:50 PM.

Respectfully submitted,

Shiela LeBlanc,
Recording Secretary

