

**Minutes of the Meeting of the Board of Water Commissioners
Monday, February 8, 2010
North Brookfield Water Treatment Facility
14 Bell Road
North Brookfield, MA 01535**

Present: Jim Kularski, Tim Nason, John Thomasian, Stephen Jones and Shiela LeBlanc – Recording Secretary
Absent: None
Guests: Roger Davis – 16 Bell Road

1. **Mr. Thomasian made and Mr. Nason seconded a motion to approve the minutes of the January 11, 2010 meeting as written. So voted.**

2. **Roger Davis – 16 Bell Road – Request for assistance of the cost for personal booster pump and tank.** Mr. Jones reviewed with the Board the quote he was asked to get on this work also. He spoke with Paul Potvin for a general quote for a residential booster pump and his quote was \$985. This was for a ½ HP pump; check valve, and 20 gal tank. There were no fittings included in the quote.

The Board reviewed the quote of \$1,493.90 submitted by Mr. Davis from Charpentier Plumbing & Heating. Mr. Jones noted that the quote he had was for a 20-gallon tank verses the quote of Mr. Davis that quoted a 60-gallon tank. That is a \$300.00 difference right there.

Mr. Davis feels that since we are supposed to provide 20lbs of pressure he would like some assistance for this pump and tank installation. Mr. Thomasian stated that they would like to see everyone have 20 lbs of pressure in the other high points also. He explained that we couldn't change the pressure. The water tank is installed where it is and Mr. Davis is probably not the only person in this category. In the past we have never provided anything for anyone else in this situation and if we did now we would be starting a new standard.

Mrs. LeBlanc explained that the guidelines for D.E.P. were initially published in 1979. The house at 16 Bell Road was built prior to 1970. So the house in questions predates these guidelines. The Water Department Rules and Regulations that now require 20 lbs of pressure are in the section for new water taps (tie ins). This policy was actually adopted in 2006.

Mr. Thomasian stated that we have taken a certain stance in the past but he doesn't see where we can start putting in booster pumps. Mr. Kularski stated that he reviewed the quote and he gave an informational paper to Mr. Davis on a less expensive pump but didn't have a tank. Mr. Jones stated that you

don't want a pump without a tank. Mr. Kularski stated that in the description this is a self-contained type of unit.

Mr. Davis would like us to not bill him for water until he has reached this dollar amount. Mr. Jones explained that it is not just the computer system. It is the way we calculate the rates. Mr. Davis feels that it wouldn't be like we would have to pay anything out. We would just not be taking anything in from him. Mr. Jones explained that the system is automated and it isn't as easy as he may think to make this happen.

Mr. Nason commented that he is very surprised that the Realtors didn't address this issue during the home inspection. Mr. Nason noted that we have people that have already installed their own and if we pay for this one we have no policy for it.

Mr. Jones noted that he looked the quoted pump up on the Internet and it would cost us more to purchase it outright. The sixty gallon tank is oversized but it also means the pump won't run as often.

3. **April 20, 2010 Horse Pond Dam Construction Public Hearing** – Mrs. LeBlanc reviewed with the Board the request from the Selectmen's Office for a Public Hearing on the Horse Pond Dam Construction on April 20, 2010. She explained that so not to incur costs for another election the Board of Selectmen have opted to hold the election vote first on Monday, May 3rd and the subsequent town meeting vote on May 7, 2010. We will need to make a presentation at this public hearing and this is what the townspeople will vote on at the polls. We won't have the audience at the Annual Town Meeting prior to the vote as we have in the past.

Mr. Kulaski asked how much a mailing would cost. Mr. Nason pointed out that you would want to hit all the taxpayers not just the water users. Mrs. LeBlanc stated that we would not have the floor to make a presentation to the town for this project except for the April 20, 2010 date. The Selectmen have flipped the process. Mr. Kularski stated that maybe we can get the information to the paper.

Mr. Jones informed the Board that he has an interview appointment with Brad Miner of the Worcester T & G tomorrow morning to get the story out about the dam. Although interviews are not necessarily his favorite thing, there is a need to get the story out to the public now that the Board of Selectmen has decided to hold the debt exclusion vote before the annual town meeting.

4. **Horse Pond Dam Update** – Mr. Kularski, Mr. Nason, Scott Charpentier and Mr. Jones met with the Board of Selectmen regarding the updated costs of the dam. Mr. Charpentier explained the reason for the change in cost. The Selectmen seemed to be satisfied with the explanation. They have set April 20th for a public hearing on the dam. We should plan on being there and Mr.

Charpentier will also plan on being there. The Selectmen will expect us to explain the process for the repair and they will explain why the voters are being asked to pay for it.

Mr. Jones scheduled the 6- month visual inspection of the dam in January and Lenard Engineering has completed this inspection. This was part of the engineering contract so there is no extra cost. The next one will take place in August.

Mr. Charpentier has submitted the design plans to the Office of Dam Safety and we await their decision on the plans. Scott Morrison of Eco Tech is collecting the environmental permits needed and we are only waiting for the Order of Conditions from the Conservation Commission.

Mr. Thomasian asked if we had made the adjustments on the cost of the dam construction. Mr. Jones explained that Mr. Charpentier had made the adjustments as requested and the adjusted figure is what was presented to the Selectmen.

5. **3rd Operator suggestion** - Selectmen Chairman Jason Petraitis sent an email to the water dept, highway dept, and sewer dept, asking their thoughts on sharing an employee. Mr. Jones forwarded this email to all of you and it was in the packet. Mr. Kularski wanted to wait until this meeting for the board to discuss. The sewer department has replied that they are not interested and we have included their email in the packet.

How do you want to respond to this email? The Board agreed that we have the ability to hire part-time summer help. Our intent is to hire a fulltime licensed operator, that is dedicated and can respond 24/7. We are looking to get away from the part-time help. We are looking to train someone to eventually fill the superintendent position. It might be a good suggestion for other departments but it will not work for us. Mrs. LeBlanc will draft a letter for the Board's signatures.

Mr. Jones noted that we have not received a response from the Finance Committee regarding the offer for a tour of the facility. The Board of Selectmen stated that we should meet with the Finance Committee before the town meeting regarding a 3rd operator.

6. **Budget** - As asked for by the finance committee Mr. Jones and Mrs. LeBlanc have put together a level funded budget and a budget with a 10% cut. We have also put together a budget with the added costs of a 3rd operator. All 3 budgets were included in the packet.

The level funded budget includes a 3.5% raise in wages. It does not include any spending for the dam since the Board of Selectmen plan on asking taxpayers to fund the repairs.

The 10% cut budget had a work sheet at the end that shows all the cuts we had to make to reduce the budget by 10%. Basically we had cut all of our maintenance programs, the reservoir taste & odor control treatments, part time help, the scheduled storage tank cleaning, and fire hydrant repair and replacement. Mr. Jones reviewed all the cuts with the Board. These cuts would severely affect the operation of the water department and they are totally unnecessary.

The budget with the additional employee is the level funded budget with the costs for an extra employee added in. As we have talked about previously, there will be an increase in water rates of 8.2% to fund the third employee.

These budgets have to be handed in by March 1, 2010. Is there anything the Board would like to change?

Mr. Nason asked that we come up with a ballpark dollar amount per year for a family of four. Mr. Jones stated that it was about \$60.00 per year and that was based on a 9.3% increase. Mr. Jones stated that we would re-do those figures.

Mr. Jones will draft a cover letter and email it to Mr. Kularski prior to submittal of the budgets.

7. **Minimum Bill Options** – Mrs. LeBlanc reviewed with the Board the minimum bill options that she had worked out per the Board's request. She explained the way she did the calculations. On the first one she added a minimum fee of \$50.00 and a cost per gallon. The second option was \$50.00 minimum fee for the first 5,000 gallons. What she found was that with just the minimum fee the higher volume users benefited.

Mr. Jones noted that the Sewer Department recommended \$134.00 fee. Mr. Jones felt that figure was way to high. So he had suggested \$50.00. It is common in the water industry to give some amount of gallonage for the flat rate.

Mrs. LeBlanc noted that she was able to print it out from the computer and was able to play with the rate options.

Mr. Kularski asked if we knew how many were under the 5,000 minimums. Mrs. LeBlanc stated that she could get that number but she doesn't have it right now.

Another question that this brings up is that if someone has zero usage and the water is on at the street do we charge them the minimum fee? If the water is on during the six-month period at all they should be charged that minimum fee. Foreclosures would already be billed and we would have to wait for the process to get our money.

Mrs. LeBlanc noted that we could notify water users in the Consumer Confidence Report for any rate changes the Board may decide on.

Mr. Kularski questioned where the \$50.00 figure came from and Mrs. LeBlanc explained that it was completely arbitrary. Mr. Kularski wondered what it would look like with different numbers.

After some more review the Board asked that Mrs. LeBlanc try to work out \$40.00 for first 4,000 and cost per gallon; \$60.00 for first 6,000 and cost per gallon and \$50.00 for first 5,000 and cost per gallon.

The Board will take this under advisement and review again at the next meeting.

8. **Lycott Environmental** - Each year we have a taste and odor problem at Horse Pond. The swampy taste and smell is a result of the excess of algae that occurs in the spring from the nutrients that are washed into the reservoir from the spring rains. We have learned that a mid May treatment of copper sulfate destroys the excess of algae and brings the ecosystem back in balance. Mr. Jones recommended that the Board accept this contract from Lycott to treat the reservoir during 2010 and write a letter to the Board of Selectmen recommending Lycott so they will sign the contract, just like last year.

Mr. Nason made and Mr. Kularski seconded a motion to accept the Option B proposal of Lycott Environmental and to further submit a letter to the Board of Selectmen asking that they sign this contract. So voted,

9. **Job Descriptions** - The Board of Selectmen are looking into updating the job descriptions of town employees. They sent a packet with the information they had with a form they wanted us to fill out. Mrs. LeBlanc and Mr. Kennan filled out a form regarding their positions and Mr. Jones had to review them and add comments, which he did. Mr. Jones filled out his form and gave it to Mr. Kularski to review and comment on. The Board of Selectmen had the original job descriptions for the superintendent, which was done well before the treatment plant was built and for the secretary position, which was before we changed it to Administrative Assistant. We had partially updated the job description of the Administrative Assistant when we made the change and we sent it on to the Board of Selectmen. They had nothing for the Operator's position but we had put one together before Mr. Kennan was hired. We sent this on to the Selectmen. Mr. Jones has no idea what the future plan or

schedule is regarding the job descriptions. He included the letters from the Selectmen in the packet and noted to the Board that the filled out forms with any job description information we have are in the file cabinet if they would like to view them.

Mr. Kularski commented that the employees haven't done anything less and have taken on a lot more.

10. **Water Turn On Policy** - In the past, when water needed to be turned on at a service location we would turn it on at the request of a plumber or realtor, not necessarily the homeowner. When we turn the water on, we require someone to be there in case the line is broken inside the house. We turn it on at the curb stop but do not touch the valves in the house as they belong to the building owner. We do not turn on the valve in the house under any circumstance. This winter we had a situation where a realtor called us to put the water on so the house could be sold. The bill had been paid so we met the realtor at the house and turned the curb stop on. Apparently someone turned on the valve in the cellar, which filled all the pipes in the house. Also apparently the heat was not on because many of the pipes froze and broke.

The new homeowner called us to turn it off and threatened to sue us for the repair. Mr. Jones does not believe we are responsible in any way since we did not turn on the valve in the cellar. However, for added protection he would recommend to the Board of Water Commissioners that we add a section to the Rules & Regulations that states that the request to turn on the water has to come from the building owner. The request can be over the phone, via email, or by regular mail but it has to be from the owner. One problem with this is the phone call, which does not leave any proof. The other problem will be with the foreclosed houses that the banks own. The banks will have to make the effort. Mr. Jones does believe this is the way to go for the time being and if we decide that we need more protection then we will have to go to a written turn on request. He is asking the Board to make a motion so that water turn ons or turn offs must be requested by the building owner.

Mr. Nason suggested that the homeowner be required to be there. Mr. Jones stated that we would have a lot of problems with foreclosed properties. Mr. Kularski suggested that there be a responsible party present.

Mr. Nason asked what our responsibility is now. Mrs. LeBlanc stated that we turn it on in the street and we require someone to be there because we don't touch anything in the house. Mr. Nason asked why we have to change anything then?

Mr. Jones stated that he doesn't want a realtor calling to have the water turned on. The homeowner may not know that the water was ever turned on. We also had an issue on 326 North Main St. The bill was paid and the water was

turned on. The house never sold until recently, the new owner called for us to turn the water on and it was on and the pipes inside had broken. Now the pipe is frozen where it comes into the cellar.

Mr. Nason asked how is a phone call going to be enough? We started out by getting it in writing by the homeowner. The first one sent us an email and it worked out great. The second one had no email and he was on his lunch break, had no access to a fax and had to go back to work. So we took his information and accepted the phone call.

Mrs. LeBlanc noted that some of these mortgage companies assign it to realty companies. If we won't put the water on when do we get sued for a sale being held up or falling through because we wouldn't turn on the water. Mr. Kularski feels that if we have a responsible party there then we can turn it on. Even if we have them sign something that states that they understand that the water department is only responsible for the water to the curb.

Mrs. LeBlanc clarified that we would have a form for them to sign accepting responsibility. Mr. Jones asked who we would allow to sign the form? Mr. Nason stated that it would be whoever asked for it to be turned on.

After much discussion it was decided that as long as we make sure the comment section of the work order is filled out then we are covered.

11. **Block Grant Update CDBG Slum & Blight** - We have heard from CMRPC rep Tim Hansen regarding the Community Development Block Grant. The state accepted the Slum and Blight designation for the downtown area but did not accept the underground infrastructure part as slum and blight. This means that our application for Maple Street will not be sent in.

We knew from the beginning that this was not a sure thing but Mr. Jones feels Mr. Hansen caused us to spend money on the engineering that shouldn't have been done. The fact is that he had led us on to believe that the Slum and Blight designation had already been accepted by the state when he notified Mr. Jones that it was time to do the engineer's drawing for the Maple Street project. The quote from Lenard Engineering for this drawing was \$2,500 which was about half of what they were going to charge us last year for the same thing. Lenard has sent us a bill for \$1400 for the drawing, which we have paid. Scott Charpentier has said that is all they will charge us given the fact that the Mr. Hansen has botched the application. This is a break they didn't have to do. The only other way to get CDBG money is to do income surveys from the area where improvements are planned. Although income surveys are possible in general, they are not possible for the Maple St. project because there is only one partial residence and too many commercial buildings. Bottom line is that it looks like the Maple St. project is dead unless

we fund it ourselves. We have the drawings in case something changes, but at this time it is done and does not look like it can be restarted.

Mr. Jones does not feel we can plan any projects until after the dam project. He still feels Maple Street should be done, but he also feels that the East Brookfield Road main is more important because more people and businesses are affected and we have had more problems in that area. Scott Charpentier and Mr. Jones are going to get together to look at this area to make a decision on whether an income survey is advisable.

12. **Energy Audit Update** – Mr. Jones informed the Board that the improvements at the school are already to go, as is the extra insulation here at the water treatment plant. We are waiting for engineer, Tom Bowman to complete the plans for the infra- red heating at the water treatment plant before going out to bid. The closing date for spending the money is June 30th.
13. **Top 10 Water Users for 2009** - As she has each year, Shiela has compiled a list of the 10 largest water users for 2009. This was included in your packet. The major change is that the water conservation that Quabaug Corp. has been working on has lessened their water use and dropped them into second place. They used more than a million gallons less than last year. The Sewer Department is now the largest water user.
14. **Superintendent Report – Fishing Signs** - We installed 3 of the Permit Only Stickers on the No fishing signs at the Horse Pond reservoir. We will do the others when the snow clears enough to drive up to them because we need a ladder to do the job.

Water Leak - There was one leak in January, a 2” galvanized line on Warren Street. It turned out that this line had been replaced but had never been shut off. We were fortunate in that we were able to shut the corporation and discontinue this line instead of needing to fix it.

Ethics Exam - At the last meeting Mr. Kularski had mentioned that Town Clerk Sheila Buzzell had recommended that Joe Flamand should take the new Ethics Exam if he is going to work for us again in the spring. Mr. Jones called Joe and recommended this to him and he has since taken the exam and passed it.

Telegram & Gazette – Mr. Jones has an interview appointment with Brad Miner of the Worcester T & G tomorrow morning to get the story out about the dam.

Annual report – Mr. Jones typed up the annual town report and sent it to Mr. Kularski for proofing and any additions he thought were needed. The final

report was included in your packets and will be published in the Annual Town Report in May.

15. **New Business** – Mrs. LeBlanc brought to the attention of the Board something that Rodney Jenkins pointed out to her last Friday. In the Quabaog Current the Town Collector was reported to have written a letter to the Board of Selectmen regarding the water and sewer and the inadequate compensation she receives for collecting their fees.

Mrs. LeBlanc informed the Board that she has submitted an email to the Selectmen's Office requesting a copy of the letter and stating that she would like the copy for this meeting and has not received any copy or acknowledgement of email.

Mrs. LeBlanc reviewed with the Board the paperwork she has gathered regarding this. She reviewed the increase in billings and the compensation increase to the Tax Office. We began paying for 1/3 of a clerk for the Collector's Office in 2000 as well as contributing to the Collector through our indirect costs.

If you review the information submitted as of now we are contributing \$5,151.00 to that office for collecting the water fees. We are also sending out just shy of 300 bills less per year.

Mrs. LeBlanc noted that every year our department received a cost of living raise; these salary figures were also raised by that amount.

In this article whether it is misquoted or what it is stated that we only contribute \$1,200.00 per year. This is a gross exaggeration, when in fact we are contributing more than the Sewer Department.

Mrs. LeBlanc noted that we pay the retirement and Medicare for this portion that we reimburse the town.

Mrs. LeBlanc suggested that the Board at least ask to be included prior to any decision they make regarding this issue. She stated that her personal opinion is that this is retaliation for the quarterly billing inquiry. If money gets increased now we will be paying twice as much if and when we go to quarterly billing. Right now that office is open 22 hours a week for our water users to go and pay their water bills.

The issue of quarterly billing was brought up again. Although the Selectmen has asked about it we can't do it without their permission. Mrs. LeBlanc noted that the Board of Water Commissioners has the authority to say the time and manner of payments.

Mr. Jones suggested that she find that in writing and bring it to a meeting because all we have done in the past is asking to be able to bill quarterly. Mrs. LeBlanc stated that she felt it wasn't asking but trying to work with another department.

Mr. Jones feels that you can't respond to a newspaper article. Mrs. LeBlanc has requested the letter and you wait until you get a copy of the letter to respond to it. Mrs. LeBlanc feels they should ask to be involved in the process.

Mrs. Kularski suggested that we could write a letter and ask that a correction be made for the Quaboag Current to make sure they have the facts correct. He feels that it is a mis-statement made in the paper whether the paper made it or the Town Collector made it. He doesn't feel it matters who made it.

Mr. Jones still feels that you can't respond to an article in the paper. The Board can respond when they get the copy of the letter that was requested. The request has been made and she has ten days to respond. Mrs. LeBlanc disagreed stating that if we don't take any action now then it puts it off until the March meeting and meanwhile if the Collector meets with the Selectmen then this Board has had no say in the decision.

Mr. Jones agrees that the Board should send a letter whether they wait for the copy of the letter as he suggests or do it now is the question.

Mr. Kularski suggested that they send a letter stating that the Board feels that the article in the Quabaog Current mis-represented the facts of what we actually pay so anything in the future we would like to be in on. We don't know where the error was made and that we have asked for a copy of the letter and have not received it.

Mr. Kularski noted that if she has verbally abusive customers then she should tell them to come see one of the Commissioners. All she does is collect bills, she doesn't send them. Mrs. LeBlanc knows that there was at least one woman who apparently went ballistic and there were comments made by other employees down there in addition to the Collector. When the woman came up here she never said a word.

Mr. Thomasian asked if it would be possible to try and collect on our own. Mr. Jones stated that you would have to do a study and iron out details.

Mrs. LeBlanc will type up a letter, email it to Mr. Kularski for his approval and contact the Board for signatures.

March Meeting – Mr. Nason noted that he is not able to attend the March monthly meeting.

Meeting adjourned: 7:52 pm.

Respectfully submitted,

Shiela LeBlanc,
Recording Secretary