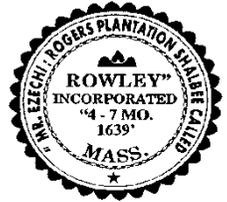




Town of Rowley  
**Municipal Water Department**

401 Central St., PO Box 29, Rowley, MA  
Office: 978.948.2640 Fax: 978.948.8200



**February 23, 2016 Minutes**

Those present: Chairman John Manning, Commissioner Stuart Dalzell, Commissioner Mark Emery, Superintendent MaryBeth Wisner, and Administrative Assistant Katie Pelletier. (Public Audience: Bernard Cullen, Stephen Barry, Jean Pietrillo, and Bob Pietrillo.)

**Call to Order**

6:00 pm: Chairman Manning opens the meeting and tells the audience the meeting is being recorded.

**Citizen Query – 6:05 pm to 6:20 pm**

Stephen Barry asked how much money is in the stabilization fund. Roughly one million dollars. He then asked if more money would be put in this year. Chairman Manning says yes, we will add to it. The Water Department is a government agent that runs like a business, and is not for profit. The DEP tells us we need to put money aside in case anything breaks. A part of every dollar goes into the Capitalization Fund. Stephen Barry asks if there is a target for that fund. Chairman Manning says he is not sure. Stephen Barry then asked if it would help lower the water rates. Commissioner Emery said no, it is not a recurring fund. Superintendent Wisner said technically you can offset the rate increases but cannot due to unforeseen breaks. Chairman Manning says the target is a million dollars. Keep it funded at a million to stay out of trouble. Chairman Manning also said if there is a water main situation down the road, in about five years, build it up so we can address it later on. Bernard Cullen asks if it is a depreciation fund. Chairman Manning said part of it is to replace worn out things.

**Old Business**

- Lien Update: 31 accounts in lien. The total owed amount was \$12,013.56. Collected to date is \$10,384.16. The remaining balance is \$1,629.40. Chairman Manning asked if the dates are on the report. Superintendent Wisner said the account dates are on the sheet. Commissioner Dalzell says it is much better than last year. Chairman Manning agrees and says the average is \$334. He then asked Superintendent Wisner if the customers have been contacted. Superintendent Wisner says it is on the property tax. Bernard Cullen said  $\$1,600/31 = \$50$ . Chairman Manning says he was looking at the \$10,000 amount. Bob Pietrillo asked if we have the green algae problem like the Charles River. Chairman Manning said, no, not that he is aware of. Superintendent Wisner says it happens when there is an open body of water. Bob Pietrillo inquired about Beaver Pond. Superintendent Wisner said the pond scum could be green or brown, and given the right food and nutrients, they will bloom. It is easily treatable. Commissioner Dalzell says the lien report is excellent.
- Update on Staffing Plan: The two positions have been reposted. The Water Department received four resumes and have conducted two interviews. One of the candidates was a no show to their interview and has not returned our phone calls so we assume they are no longer interested. One candidate did not have the proper licenses and had no water experience. Chairman Manning asked about the candidates. Superintendent Wisner said one applied for the working foreman position and the other candidate would take either position. Superintendent Wisner says she has a plan B which we can discuss. We need to meet the DEP's staffing requirements. Bernard Cullen asks what the staffing requirements are from the DEP. Superintendent Wisner says the treatment and distribution should be split and increase the staff. It is hard for the operators to be responsible for both.

**New Business**

- Vote to authorize the Water Superintendent to inform the Town of the increase in hydrant rental for FY17: Chairman Manning said in FY15 the hydrant rental was \$35,000. In FY 16 it was \$53,400. The Water Department would like to increase it to \$72,900 in FY17. Chairman Manning asked if the Board needed to vote. Yes, so we can inform Town Hall so they can have the correct information for their budget. Commissioner Dalzell thinks a \$19,000 jump is a little much. He realizes the Water Department has been replacing expensive hydrants. He said they were \$1,800 now they are \$2,200. Chairman Manning asks if the hydrants last ten years or twenty five years. This is a fee because we will receive a bill from the Town of

Rowley. Commissioner Emery says it is for book keeping records. Commissioner Dalzell says they (the town and water department) have been billing each other since 1948.

**Commissioner Emery motions to approve. Commissioner Dalzell seconds. All in favor.**

Commissioner Dalzell asks if we have around 300 hydrants. Superintendent says yes.

- Discuss letter from Ipswich Watershed Association: Chairman Manning read the letter into the record (see attached). Superintendent Wisner thought the Water Board would be interested in the program. Chairman Manning then read the program into the record (see attached). Chairman Manning asked if this was being driven by the Watershed Association. Yes, it is. Chairman Manning seems pleased with the program.
- Discuss Asset Management Grant Program for the water system hydraulic model/distribution system study: Chairman Manning read a section into the record (see attached). Superintendent Wisner attached the project in each packet. We will be sending a letter to the Mass DEP. Last year, we did not qualify for the grant money. They had to prioritize who they awarded the grant money. There have not been improvements made in many years. The model may show the system needs to be upgraded. We want to get grants while we can. We would need to come up with \$10,000, to match the percentage. Commissioner Dalzell says it is a no-brainer and Chairman Manning agrees. Superintendent will get the application ready.

### **General Business**

- Water Superintendent Operations Report: The DEP wanted the project to be listed as one project and the deadline is in May. Superintendent Wisner wants the board to sign so Weston & Sampson can finalize the project. Chairman Manning read the Weston & Sampson email into the record (see attached).

The lead in drinking water document will be very helpful to the community. Superintendent Wisner welcomes any comments or edits to the document from the Board. Chairman Manning reads some of the document into the record. Superintendent Wisner reminds Chairman Manning that the document is still in draft form.

The fee schedule has been updated on the website. Superintendent Wisner wants the board to re-vote on two of the fees. After speaking with Tara from Pennichuck, Superintendent Wisner adjusted the fee schedule. The proposed fees are: \$75 call out fee during normal business hours and \$150 for after hours, holidays, and weekends. These fees are to cover the cost, not to make money. If the issue is on the Water Department's side, the fee will be waived. Superintendent Wisner decreased the normal hour fee and increased the after hour fee. The hydrant fee and fire service fee have been adjusted. Commissioner Dalzell questions the February 9, 2016 fee schedule. He thinks people should not be penalized to repair their water line. Superintendent Wisner says we have our normal schedule each day and when we respond to another customer, it takes away from the scheduled items. Commissioner Dalzell understands it should fall under regular business hours to turn the water back on. Commissioner Emery agrees it should not cost the customer money. Commissioner Dalzell says last week, it took the Water Department a couple of days to turn a customer's water back on. Bernard Cullen asked how many turn on/ turn offs are not related to those issues. Superintendent Wisner says the data logger is a lot of work. It is not there to dispute a high water bill, it is to help detect leaks. The fees are to recuperate money. If a customer calls the Water Department and says they do not have water, the Water Department goes right out. Sometimes the leak is coming from the customer's side. Most of time, the customer should call a plumber, not the Water Department. Commissioner Dalzell says the Water Department is a service department. Superintendent Wisner says the turn on/turn off fees have existed since July 1, 2015. **Commissioner Dalzell motions to not charge for turning the water on/off for repairs and the fee will be charged only to delinquent customers. Commissioner Emery seconds. All in favor.** Superintendent Wisner asks about after hours. Commissioner Emery says if it is an emergency after hours, the customer should pay. **Commissioner Emery motions to approve the after hour fee. Commissioner Dalzell seconds. All in favor.** Bob Pietrillo asked about the customer side versus the Water Department side. Commissioner Dalzell said the curb stop by the property line to the house is the customer's side and after the curb stop is the Water Department's. Bernard Cullen says if he notices water bubbling up on his property, he is not going to wait until 7:00 in the morning to call the Water Department and does not want the Water Department to act like a cheap plumber. Commissioner Emery says the customer will still need a plumber. Bernard Cullen asked how often we get these calls. Superintendent Wisner said we had about eight calls last weekend. Commissioner Emery said you cannot predict

when it will happen, just like a fire. Commissioner Dalzell said we get more phone calls during the extreme cold weather. Superintendent Wisner points out these are standard fees that surrounding utilities charge.

Chairman Manning goes through the proposed articles for the 2016 warrant (see attached). Bernard Cullen makes a suggestion about the "hot issues" to get the smaller articles taken care of first, then take care of the larger ones. The Selectmen have control over the warrant. Chairman Manning said these things need to be addressed and will not raise the rates.

Superintendent Wisner said the Board of Selectmen has approved the Water Department's budget. Superintendent Wisner and Chairman Manning will go to the Financial Committee meeting to present the budget so there will be a short agenda for the March 8<sup>th</sup> meeting. Superintendent Wisner said at last night's selectmen meeting, the Board was commended on their effort over the past few meetings. They are also very happy with the budget.

Commissioner Emery said they made positive comments on how the board is running.

Bernard Cullen said they complimented Chairman Manning specifically.

The Annual Statistical Report was submitted by the Water Department to the DEP and there is a copy in each commissioner's packet for their reference.

Superintendent Wisner said she has some statistics in regards to the asset management and replacement program. 20% of the gate valves are 50 years or older, 27% of the gate valves are 40 years old, 40% are 20 years old, and 35% are 30 years old. Superintendent Wisner says they are looking towards directional flushing. Chairman Manning asked if it can be prioritized. Superintendent Wisner says we will start at the source after we scour the pipes. Bob Pietrillo is amazed at how much sediment is in the pipe that has been there for ten - fifteen years.

Superintendent Wisner thinks the Ford-550 might be too small for the department's needs. The department thinks the F-650 is a bigger fit. Commissioner Dalzell says there is not too much of a price difference between the trucks and the Board will look into it. He advised Superintendent Wisner to get what the department needs.

- Commissioner Emery asked what the next meeting was after the March 8, 2016 meeting. After discussing their schedules, the next meeting will be March 29, 2016. Chairman Manning suggests to email with possible meeting dates. Bernard Cullen pointed out about the OML complaints regarding copying other board members on emails. Chairman Manning said they are very good about not copying each other on emails.
- Chairman Manning said he spoke with the Attorney General's Office about the penalties that are in effect against a current board member. Once they are back to a private citizen, it is null and void. The Water Board needs to complete the records. Superintendent Wisner advises the Board to read the four OML complaints into the record and the determinations from the Attorney General's Office. She also needs the Board's approval to send three letters to Mr. Toomey requesting the 9/11/15 and 8/25/15 minutes and missing the attachments. As Chairman Manning said, the Board is responsible and we are required to have copies at the Water Department office. Chairman Manning advises the audience there are many pages that need to be read into the record. Chairman Manning then reads the letters addressed to Mr. Toomey explaining we need the minutes and attachments into the record (see attached). Chairman Manning asked Superintendent Wisner about the ten day notification, Superintendent Wisner told the Board they have ten days. Bernard Cullen says he does not believe we will get the documents in three days, he believes there will be no response. Chairman Manning asked Commissioner Dalzell if Mr. Toomey provided him with any of the missing minutes. Commissioner Dalzell does not think he has them, but will check. Superintendent Wisner says we will send the letter to Mr. Toomey requesting minutes and attachments, if he does not provide the documents, Commissioner Dalzell will have to recreate the minutes. Chairman Manning says if not, we will write a document which he already discussed with the Attorney General's Office. **Commissioner Emery motions to send the letter to Mr. Toomey. Commissioner Dalzell seconds. All in favor.** Chairman Manning read the OML 2016 – 18 regarding the complaint from Joseph Perry into the record (see attached).

Commissioner Emery read the OML 2016 – 19 regarding the complaint from Karen Summit into the record (see attached). Bernard Cullen asked if the Board was sending communication on any subject would it be ok if it came from one board member. No, any board business has to be done here. The email would have to come from the Superintendent. Commissioner Dalzell said if they have a question, they reach out to MaryBeth. Bernard Cullen then asked if formal communication has to come from a third

party. No, there cannot be any deliberation. Chairman Manning says there are nine trustees on the Library Board, two – three members can deliberate, but with a three member board, you cannot. Superintendent Wisner sends the agendas and minutes to the Board members separately. Chairman Manning advises using the blind carbon copy option so she does not have to type the same email three times. Chairman Manning asked Superintendent Wisner if they need to vote on anything. She said they need to vote on the executive session minutes and to turn over the minutes.

Commissioner Dalzell read the OML 2016 – 20 regarding the complaint from G. Robert Merry into the record (see attached).

Chairman Manning read the OML 2016 – 21 regarding the complaints from Superintendent Wisner into the record (see attached). Superintendent Wisner offers a piece of hard candy to each commissioner and the audience. Chairman Manning asked Superintendent Wisner what the Board needs to do. Superintendent Wisner said we need copies of the executive session minutes and release within ten days. Commissioner Emery asked if we need to meet sooner so they can be released. No, we will wait until the next meeting. Superintendent Wisner will notify the Board if we receive the missing attachments and minutes. She will scan and email the documents to them. Chairman Manning says if not, we will file the letter. Bernard Cullen said some draft minutes exist. Chairman Manning said he wrote what he wanted and no one else has seen them.

### **Approval of Minutes**

- Commissioner Emery points out a few typographical errors on the February 9, 2016 minutes. **Commissioner Emery motions to accept the February 9, 2016 minutes. Chairman Manning seconds. All in favor.**

**Commissioner Dalzell motions to approve March 16, 2015 open/joint session out of necessity. Commissioner Emery seconds. All in favor.**

**Commissioner Dalzell motions to approve March 16, 2015 executive joint session out of necessity. Commissioner Emery seconds. All in favor.**

Chairman Manning states they are missing the August 25, 2015 and September 11, 2015 Executive Session minutes for both dates. Chairman Manning reads the minutes with issues into the record. September 18, 2015 – missing Executive Session minutes.

September 29, 2015 – missing attachments. October 6, 2015 – missing attachments.

September 11, 2015 (Executive Session) – missing minutes with attachments, if any.

August 25, 2015 (Executive Session) – missing minutes with attachments, if any.

August 31, 2015 (Executive Session) – missing minutes with attachments, if any.

October 20, 2015 – missing attachment. September 18, 2015 (Open Session) – missing attachments.

### **Next regular meeting is March 8, 2016 (*from Agenda*)**

Superintendent Wisner advises Commissioner Dalzell to meet ahead of schedule to get the pricing together for the truck. Commissioner Dalzell understands and will call Dennis.

### **Adjourn**

**Commissioner Emery motions to adjourn at 8:15pm. Commissioner Dalzell seconds. All in favor.**

Minutes accepted at the March 8, 2016 meeting.

Minutes prepared by Katie Pelletier

### **Documents provided/discussed at this meeting and available in the Superintendent's office:**

Sign-In sheet

2016 Receipt Audit List

Memo on Staffing Plan

Hydrant rental

PIE-Rivers email to Deborah Eagan

3.2 Scope of Services

Mass DEP RFP

Letter to Superintendent Wisser from Tata & Howard  
Letter to Joseph Delaney from Superintendent Wisser  
Letter from Weston & Sampson to Superintendent Wisser  
Draft of lead document  
Fee schedule  
Proposed articles for May 2016 Town Meeting  
Most recent budget  
DEP Transaction copy  
Letter to Mr. Timothy Toomey from the Water Board  
Letter to Mr. Timothy Toomey from the Water Board  
Letter to Mr. Timothy Toomey from the Water Board  
OML 2016-18  
OML 2016-19  
OML 2016-20  
OML 2016-21  
List of minutes with issues  
Email from Deborah Eagan to Superintendent Wisser  
Agreement for Engineering services between the Town of Rowley and Weston & Sampson

Pursuant to the 'Open Meeting Law,' G.L. 39, S.23B, the approval of these minutes by the Board constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Board as to the completeness or accuracy of such statements.