

Minutes of the Board of Water/Sewer Commission
Wednesday, August 24, 2022 - 9:00 am
16C Perry Way, Newburyport, MA 01950

Present Commissioners: Roger Jones, Owen Smith, William Creelman, Sandy Friede, Daniel Simon

Staff:

Deputy Director, Jamie Tuccolo

Business Manager, Julie Spurr Knight

Water Superintendent, Thomas Cusick

1. Mayor Reardon

Not in attendance

2. Appointments/Customer Inquires

Abatement Denial Appeal – David Shepard, 6 Pine Street, Newburyport did not attend. He called on 8/23 to say that he had COVID and wanted to reschedule. The Commission reviewed the paperwork and denied the abatement appeal. A discussion took place regarding reviewing the abatement policy, clarifying irrigation and what is deemed catastrophic versus negligence. Ms. Knight said there are policies on the back of the bill that can be evaluated by the Commission would need to vote on changing anything. She also said she would look at other municipalities.

Commission Friede moved to deny the appeal. Commissioner Smith seconded. All those in favor.

Vote: Smith yes, Creelman yes, Jones yes, Friede yes, Simons yes

Mark Reich, City Solicitor was present to answer the Commissioner's questions. Commissioner Jones asked if this portion of the meeting needed to be in executive session. Mr. Reich said if it is a general discussion, no. If you were to discuss litigation you would need to specify why you were going into executive session by specifying the purpose, cite the chapter/section/clause and item.

- Mr. Reich stated the Chair sets the agenda.
- Commissioner Smith said that he and other new members of the Commission have not received training. Mr. Reich said they need to contact the Clerk, Richard Jones for that training.
- Commissioner Friede wanted clarification on the Commission's authority and powers. Much discussion was made regarding how the rate was presented and voted on. Mr. Reich said the Commission is advisory only. The Mayor has budget setting authority and it is then voted on by City Council. The City Code of Ordinances, Section 2-368 references approval by the Mayor and City Council. Commissioner Jones said the Commission needs to be more involved in budget discussions.
- Commissioner Friede asked what authority they have regarding personnel matters if someone isn't doing their job. Mr. Reich said the Commission has external oversight. The Commissioner can bring it to the Director's attention but the chain of command must be followed.
- Commissioner Smith stated if the Commission's authority is finance and setting policy doesn't operations oversight fall into that. Mr. Reich said it did not. Commissioner Friede asked how can the Commission ask that a project be brought to the forefront or become a priority. Mr. Reich said you cannot assign projects to the staff. You can set goals and present them to the Director and he can then decide what to implement and how.

- Mr. Reich addressed the Commission and said communication between all parties is key and that everyone should stay in their assigned lane.

3. Approval of Minutes

Commissioner Smith made a motion to approve the minutes of June 15, 2022. Commissioner Friede seconded. All those in favor.

Vote: Smith yes, Creelman yes, Jones yes, Friede yes, Simon yes

4. Business Managers Report

- Ms. Knight reported reconciliation with the external auditors will wrap up around October/November so the Department of Revenue's numbers will be early.
- Ms. Knight reviewed the Water and Sewer Budget Summary.
- Commissioner Smith asked about the line item Other Charges and Expenses and why it was 74% expended. Ms. Knight said liability insurance gets paid up front. He asked if the insurance claim on the generator increased the insurance premium. Ms. Knight said it increased slightly but that could have just been a standard yearly increase.
- Meter Project – Ms. Knight will be asking Environmental Partners how they propose to fund the \$5.3 million meter project. Looking at SRF funding.
- Commissioner Friede asked the timeline for this project. Ms. Knight said it could take up to 18 months/2 years. The plan is (1) asking Environmental Partners what will be the impact on capital, should we bond it or have a meter charge, (2) put it out to bid and (3) have a FY24 project kickoff.
- Commissioner Smith suggested installing the new meters when the old fail. Ms. Knight said that would not be advisable since we are already running two different software systems which creates hours and hours of work on the part of the staff. That approach would add a third software program and create even more work and problems.
- Ms. Knight said there were four contracts that needed the signatures of the Commissioners. The Pure Technologies contract is an extension which secures the unit price for the operating nuts for the 75 valves needing operating nuts. Any of the valves that are under the pavement would require excavation and that is additional. The money in CIP FY24 is for valve replacement of non-operational valves. Mr. Tuccolo said Phase 1 was to turn the valves we know about and Phase 2 is to determine what valve goes to where. The Indian Hill/AECOM contract is fine. Tighe & Bond and Woodard & Curran need updating so the Commission said they would sign once the updates have been put in.

Commissioner Smith made a motion to sign the Pure Technologies and AECOM contracts. Commissioner Creelman seconded. All those in favor.

Vote: Smith yes, Creelman yes, Jones yes, Friede yes, Simon yes

5. Old/New Business

- Mr. Cusick was present to answer the Commissions questions regarding conditions of water resources as the drought continues. He presented several handouts. He reported that as of 8/23/2022 reservoir levels are at 83% and dropping at 2% per week. The current (voluntary) water restriction is applied when the levels are 90% to 75% at this time of year. The mandatory water restriction is applied when levels are 75% to 60%. The current critical drought condition designated by the state calls for no outside watering. The City's Water Management Act permit is a guide that governs the water restrictions. Mr. Cusick's recommendation is to go into Level One

mandatory water restriction as a conservative approach considering the drought condition and weather pattern. Total flow to system is the highest on record from 2017 to present, 2016 was a drought year but this data is not included in the chart.

- Commissioner Jones asked about the algae bloom and Mr. Cusick reported that the second treatment for both the Upper and Lower Artichoke will take place this Friday (8/26).
- Commissioner Jones asked about Cyclopure and what the status of that was. Mr. Cusick reported that a pilot study (PFAS) was approved by DEP on 8/23/22 and are working with AECOM.
- Commissioner Jones requested Jon-Eric White, City Engineer be present at the next meeting to discuss the Lower Artichoke dam inspection reports.

6. Confirm Next Meeting.

Wednesday, September 21, 2022 at 4:00 pm

7. Warrant and Contract Signing

Commissioner Smith made a motion to sign the warrants. Commissioner Friede seconded. All those in favor. Vote: Smith yes, Creelman yes, Jones yes, Friede yes, Simon yes

8. Action Items

Commissioners made several action items:

- Make sure we are inspecting the dam and monitoring it properly.
- Set a goal to follow the recommendations set forth earlier by City Solicitor.
- Better communication.
- Meet with Mayor and Utility Commission.
- Have a policy/budget meeting with the Mayor and Julie.
- Hold meetings more frequently. Workshops in between meetings.
- Budgeting session on every agenda.
- Abatement policy.
- 20-minute communication policy strategy on agenda.
- Tour of reservoir system.

9. Adjournment

Commission Jones adjourned the meeting at 11:30 am.

Respectfully Submitted By: Karen Bush