

Minutes of the Board of Water/Sewer Commission
Wednesday, August 23, 2023 at 3:45 pm
16C Perry Way, Newburyport, MA 01950

Present Commissioners: Roger Jones, William Creelman, Daniel Simon, Paul Suozzo; Kimberly Emmons; Dan Simon
Staff:

DPS Director, Wayne Amaral

Business Manager, Thomas Watkins

Chief Operator Sewer, Chris Pratt

Water Distribution Superintendent, Daniel Maguire

Water Superintendent, Thomas Cusick

Office Manager, Karen Bush

Dan Maguire, the new Water Distribution Superintendent introduced himself to the Commissioners. Mr. Maguire said he previously held the same job for nine and half years with the Department. He worked in Byfield for 16 years and now he is back.

1. Appointments/Customer Inquires

Dave Biancavilla, BSC Group. Mr. Pratt stated that he was put on the Agenda prematurely. He will probably be present at the next meeting.

2. Approval of Minutes

Commissioner Creelman made a motion to accept the minutes from June 28th. Commissioner Simon seconded. Vote: Creelman yes, Jones yes, Simon yes, Suozzo yes, Emmons yes

3. Business Managers Report

- Mr. Watkins passed around the budget summary. He stated we are very early in the year. There is nothing too glaring except for debt service in both water and sewer and 83% expended in other charges and expenses on the sewer side. He stated that is the upfront insurance payment for the year. The other is debt service payments that we will continue to make throughout the year. He said as the year progresses we will come out of the red as we are now in our bottom line and he is confident we will get back in the black after the beginning of the calendar year. Mr. Watkins asked the Commissioners if there were any other reports the Board would like. Mr. Simon asked for consumption data. Mr. Cusick and Mr. Pratt said they could give Mr. Watkins some reports that would help with consumption reporting. Mr. Watkins said one good feature of WaterSmart is it can pinpoint irregular usage for a customer which could be a potential leak and we can alert that customer. Commissioner Simon asked about our chemical usage and are we still on track for budgeting. Mr. Pratt said consumption is what it is because it is flow based. He stated last year there was a 150-200 percent increase in unit costs. This year the consortium price came in pretty flat. He said we budgeted this year based on last year's consumption unit costs projection. Commissioner Simon said last year we had to make a transfer. Mr. Pratt said that is because we budget in January and the consortium bids come out after. Commissioner Simon asked for a trend analysis.

Commissioner Simon made a motion to approve the Business Manager's report for this month. Commissioner Suozzo seconded.

Vote: Creelman yes, Jones yes, Simon yes, Suozzo yes, Emmons yes

4. New Business

- **Privilege Fee Notice.** Ms. Bush said the Assessor's office needs to lien 37 Toppan's Lane for repayment of their betterment fee. Commissioner Simon asked if there was a policy on liening people. Ms. Bush said this came from the Assessor's Office and they develop it. She stated the Commission was presented one similar in the past and because it is water and sewer you need to approve it. Mr. Amaral said it would be helpful next time to get the dollar amount. Commissioner Simon asked Mr. Amaral if the Board could get a copy of the Assessor's policy so they know what they are approving. Mr. Amaral said this came in a day after the last meeting in June and asked the Commission to approve and not wait and hold it up further while we wait for the policy.

Commissioner Simon made a motion to approve the lien for 37 Toppan's Lane. Commissioner Suozzo seconded. Vote: Creelman yes, Jones yes, Simon yes, Suozzo yes, Emmons yes

- **Water Sewer Bill Adjustment Policy.** Mr. Watkins said this is formalizing a practice that we are currently doing right now. If we are adjusting a current or past bill or if there is a clerical error, an overcharge or undercharge someone one month this is where the policy comes in. Commissioner Jones questioned the line about not back charging the customer. Mr. Watkins said if there was an instance where a customer was continually billed incorrectly for years and years and it was the department's error we did not think it was fair that the customer to pay for that error. Commissioner Jones feels that line allows people to never pay the outstanding amount no matter what the amount is. Mr. Amaral asked the Commissioners if they recommend a time limit. It was discussed amongst everyone to set it at one year. It was determined anything over one year the customer would not have to pay that outstanding amount.
- **Septage Policies.** Mr. Pratt came back to the Board with the revised policy and rates with the changes they recommended at the June 28, 2023 meeting. Mr. Pratt gave a recap of the information that was discussed at the last meeting. Mr. Pratt put the effective date on Appendix A, Septage Disposal Rates as of 10/1/2023 to give the haulers a month to digest it but the date can be whatever the Commission wants it to be. Thereafter the new price would be effective each fiscal year for the following two years. A change will be made to the language under Permit Fee to read, "it shall be valid for 12 months from the issuance of the permit". He also suggested rates should be subject to change at the discretion of the Water and Sewer Commission. Mr. Amaral asked Commissioner Jones if this could not be held up another month and could the Commission approve it based on the edits that have been discussed and will be made.

Commissioner Simon made a motion to accept the Septage Haulers Permit with the amendments. Commissioner Emmons seconded.

Vote: Creelman yes, Jones yes, Simon yes, Suozzo yes, Emmons yes

5. Old Business

- **Third Clarifier Update.** Mr. Pratt provided a drawing to the Commission as to where the third clarifier would be placed. He stated if you went to the 1979 plans it is drawn in in the location as a future

clarifier. In theory it will fit there but it will be difficult to do. It is in conjunction with BSC's wingwall work. Once we set the bounds it will be done and it will be legal and we will register it. There will need to be a lot of PR. He said as far as chronology they are looking to very quickly engage an OPM (owner's project manager) because there will need to be a lot of public outreach. He stated we are hoping to have that by late fall. Requests for proposals will happen very quickly after that. Mr. Pratt hoped to have some budget prices from engineering before City Council meeting. The design will be straightforward but the process of putting it in will be tough. Commissioner Simon asked how do we answer why we are putting more money into this site when it is potentially at risk for flooding. Mr. Pratt said that is a good question. There was a three-phase project. The bike path and the berm were phase one and that was to prevent storm surge from coming directly on to the property. The second phase was sea level rise coming around the plant and coming in and third was mitigating whatever falls on the plant during those periods that we have to pump out. Mr. Pratt agreed and said at what point do we move the plant. Commissioner Simon said amongst all of us you need to figure out that question before we sink money into this. Mr. Pratt said we have had discussions about this. We are going to put it in our budget for the upcoming year to do a feasibility assessment of moving the plant. The biggest part of that will be finding the real estate and how much it will cost.

- **Water Service Turn-on and Turn-off Fee Policy.** Mr. Amaral said we made the revisions since our meeting in June. It was a small paragraph so we expanded it so it explained itself.

Commissioner Simon made a motion that we approve the amended policy for Water Meter Turn-on and Turn-off. Commissioner Creelman seconded.

Vote: Creelman yes, Jones yes, Simon yes, Suozzo yes, Emmons yes

- **Water Meter Replacement Program.** Mr. Amaral said as summer ends we will start meeting with Dan and Tom and start the process back up again. We have to back track to what Julie had done. We have to reset ourselves because there are all new people. Commissioner Jones feels the faster we can get these things in place the less inaccuracies we will have, the less troubles and complaints we will have and we will have a better handle on our revenue. Mr. Amaral said we are stepping back. Tom and I are very step orientated and we want to make sure we approach it the correct way because it is a huge investment. Commissioner Jones said he doesn't disagree with anything Mr. Amaral said. He understands.

6. Confirm Next Meeting: September 27, 2023 at 4:00 pm

7. Warrant and Contract Signing

Booster Station Modification Agreement. Commissioner Simon asked if we could use the City's standard terms and conditions. Mr. Amaral said we are working with a new City Solicitor and they are working on new templates for everything in Newburyport. They haven't submitted anything to us yet but we didn't want this to be held up. Commissioner Simon said this agreement has the same problems the other one did. On page 6, five paragraphs down Environmental Partner is going to own all the documents and they get to determine what to do with them. Mr. Amaral said if we have the proper specs and scope we get what we want at the end of the day. Tom Watkins has been working with them on standard templates for consulting, engineering and purchasing. Commissioner Simon pointed out page 7, five paragraphs down they are limiting their liability. Mr. Amaral said he lets these through because of the \$49,000 contract. If we were signing a \$1.2 million contract we would not let that go through.

Commissioner Simon made a motion to sign and it should be noted we review these T and C's and we decide we are okay because of the low risk and that we are going to use the City standard T and Cs next time.

Commissioner Emmons seconded.

Vote: Creelman yes, Jones yes, Simon yes, Suozzo yes, Emmons yes

Warrant Signing. Commissioner Simon asked what is JWC. Mr. Amaral said it was the motor that needed to be rebuilt for the grinder. Commissioner Jones asked what Eastern Bank was for. It is for the lockboxes.

Commissioner Creelman made a motion to approve the warrants as presented. Commissioner Simon seconded.

Vote: Creelman yes, Jones yes, Simon yes, Suozzo yes, Emmons yes

8. Adjournment

Adjourned 5:15 pm.

Respectfully Submitted By: Karen Bush