

**Minutes of the Board of Water/Sewer Commission**  
**Wednesday, February 16, 2022 - 4:00 pm**  
**ZOOM MEETING**

**Present Commissioners:** John Tomasz, Roger Jones, Owen Smith, Sandy Friede,

**Staff:**

Director, Anthony Furnari

Business Manager, Julie Spurr Knight

Sewer Chief Operator, Chris Pratt

Water Superintendent, Thomas Cusick

Assistant Water Superintendent, Chris Hood

Water Distribution Superintendent, Jonathan Carey

Collection Systems Superintendent, David Shaw

City Engineer, Jon-Eric White

**1. Mayor Reardon**

Not in attendance.

**2. Appointments/Customer Inquires**

- Jessica Stone – Ms. Knight spoke on her behalf. She lives at 8 Doyle Drive. The owner called to make a request for a final water reading and did so 60 days prior to closing and gave the Business Office the wrong closing date. We would not have scheduled a final reading 60 days out. We schedule 5-7 days out so you do not have the previous owner's consumption on the bill. The developer did not close on the property until late August. The new owner, Ms. Stone is stuck with \$180 on her bill. There have been other issues with the property that don't fall under our department. She had a flood in her basement because of drainage issues which has also caused the house to shift off the foundation; she had a gas leak and has been displaced from the house. Commissioner Smith suggested we have the sellers file the contract when they request a final reading. Commissioner Friede disagreed and said this is not our responsibility. It is their attorney's responsibility. We are not in the business to be giving away money and checking people's contracts. Commissioner Jones felt it is an issue between Ms. Stone and the builder.

*Commissioner Friede made a motion to deny the request. Commissioner Tomasz seconded. All those in favor?*

*Vote: John Tomasz yes, Roger Jones yes, Sandy Friede yes, Owen Smith yes*

- Doug Gove from AECOM appeared to discuss a task order submitted to Tom Cusick to look at developing a facility plan for the Water Treatment Plant. I believe everyone received a copy of the task order proposal that we put together which shows an overview of the work that has been done to date and what was included with the 2014 upgrade and also what we feel was not included in the 2014 upgrade. What was done in 2014 was an upgrade to the Treatment Plant to address the most pressing needs. At the time there was an issue with the failing clear well. The pump station was original to the plant. There was also concern from carry over from the existing lagoons. At the time we looked at a lot of options for upgrading the plant including building a new plant and adding additional process drains. At the time because this was coming on the heels of the wastewater upgrade the decision was made to address those most pressing needs plus improve the reliability of the plant. A new clear well was constructed, a new finish water pump station, a spent back wash water equalization tank and recycle pump station was built and some of the major process equipment was replaced to improve the reliability. It didn't address the redundancy but it improved the reliability. The treatment process stayed the same but it didn't address taste and odor which was at the time a concern as well. The idea at the time was the City would continue to use potassium permanganate to address the seasonal issues. Since that time a lot has

changed. In addition to the concerns with taste and odor there has been algae blooms that have been ongoing and becoming more frequent in the Artichoke supply. The taste and odor is still there but organics in the reservoirs is also increasing which is leading to issues with disinfection byproducts in your distribution system. Most recently the discovery of PFAS in some of the raw water supplies. There have been water quality changes over the last six or seven years that have raised questions from the treatment plant staff. We have had discussions on what may need to be done to address both the new water quality concerns and also to address some of the items that were never part of the 2014 upgrade such as lack of redundancy with the process drains and the lack of the operator spaces to name a few. There was no other plan put in place to provide a road map for the City after that project. Now with these additional water quality concerns and the continuing issues with redundancy and operator spaces and automation we feel that the best plan right now is to do a facility plan to take another look at the plant. We are not reinventing the wheel. There have been a lot of studies done. We will revisit the studies that have been previously completed and look at different technologies and how to upgrade the plant. We need to put together a laundry list of items that need to be addressed, to look at alternatives for how to address the PFAS, to look at how best to address the water quality concerns as far as TOC and additional algae blooms and then to come up with a recommendation and put that in a 20 year plan for the City to follow. We will work closely with the Treatment Plant staff because a lot of it has to do with what they feel they need with space and operations so it will be a collaborative process. Once we put together that facility plan with the costs and schedule, part of our scope is to also take the other upgrades required in the water system including raw water transmission main, any work associated with the storage tanks or anything associated with Lower Artichoke Dam or any projects hanging out there and put them into an overall 20 year capital improvement plan. Right now there are a lot of projects out there and we need to work closely with you to help identify which ones to prioritize so you can come up with a funding plan. That is part of this task along with looking at increasing the automation at the plant so they can potentially eliminate the third shift of operators. Are there any questions?

Commissioner Friede asked if the Water Treatment Plant will be affected by the flooding in the next 20 years or is it high enough or do we need to look at that. Mr. Gove said the main components of the Treatment Plant are at a high enough elevation. I know Jon-Eric has been looking at the Lower Artichoke from a supply standpoint. Lower Artichoke pump station is potentially vulnerable to sea level rise and storm surge. It's possible that Bartlett Pond could be as well.

Commissioner Smith asked if there is a pond down by the river. I thought that is where the raw water line from the reservoir came in or am I thinking of Bartlett Spring. Mr. Gove said Bartlett Pond Spring is one of the sources which are right next to the river. That is separated by a berm. I would assume that sea level rise could potentially impact that down the road. Jon-Eric would probably know more. I know the Lower Artichoke Reservoir is already potentially in harm's way. The Lower Artichoke pump station while right now is out of the flood zone if sea level should rise as they predict that could also potentially become a problem. Commissioner Smith spoke to Tom Cusick and said what he was thinking of was down at the plant the raw water line coming from Lower Artichoke saw daylight somewhere before it got pumped up the hill. Mr. Cusick said no it's a separate stream so it comes in separately and the Bartlett gets pumped into that stream and it is off right now.

Commissioner Jones asked Jon-Eric White if the road to get to the residences is high enough. He replied it is high enough right now for the 100 year storm but it is not high enough for sea level rise. It's a small road; we have time to raise that.

Commissioner Smith asked about grants and if that would be done after the plan was completed. Mr. Gove said AECOM included an allowance and hours within this so once the capital improvement plan is put together we can help you look for potential funding sources. SRF is popular now because of the influx of the infrastructure

bill funding. The Water Infrastructure Finance Investment Act is another source for funding. There is a minimum project size. For communities less than 25,000 it is \$5 million and over 25,000 it is \$20 million. That provides an opportunity for communities that want to lump together a capital improvement plan. Say we put together your complete CIP and it comes out to \$30-\$40 million. If you feel all those projects are a priority you could lump those into a WIFIA loan request that would provide some benefits. They will provide loans for 49% of the project cost. It is low interest and spread over 35 years. It normally is combined with SRFs so the other 51% would be from SRF. The only catch is that the work has to be completed in a five year window. Under the SRF there are grants for PFAS, lead service abatement if those are issues, if you have environmental justice issues in your community there is additional funding as well. We can look at options for funding. Commissioner Smith asked if we could count West Newbury since we provide water to them on an as needed basis. Mr. Gove said even if you are less than 25,000 you can still request \$30-\$40 million. It would only be to your advantage to be less than 25,000 if you didn't want to go up to a \$20 million loan request.

Commissioner Tomasz asked if there is \$170,000 in funding available right now for this work. Ms. Knight said we do not have anything allocated or in place. We have retained earnings but you would have to approve it and we then would have to go to City Council for their approval. Mr. Cusick said he has put it on the wish list which is our CIP protocol for next year. He asked Doug to do this because it is one of the missing pieces. We have the Tighe & Bond report and knew that it wasn't going to include any of the upgrades to the Water Treatment Plant and I felt like this was a start. Obviously those numbers are large and I don't expect it to happen overnight. The last piece is what Jon is trying to do with Environmental Partners and get a handle on what the distribution system might need as a whole. At that point you will have everything in front of you.

Commissioner Smith referenced another meeting and a discussion about consultants and getting grant money and a return on investment. How much effort or money would it take to do that? Mr. Cusick said it is listed at \$6,753. Mr. Gove said they put an allowance in but it would come down to what you need for assistance. It is all time and materials work. Mr. Cusick said the City has its own grant writer and we have worked with her in the past and are currently working with her now. The idea was to put a place holder in there in case we needed assistance beyond that.

Commissioner Friede asked Mr. Cusick if he needed the Commission to do anything right now and that it looks like a good plan or is it just for information purposes. Mr. Cusick said it was for discussion purposes to bring them up to speed on the capital improvement wish. He said he has not identified funds for this project. It was more to show what has been done in the past and what needs to be done in the future. Commissioner Friede said she likes to have a 20 year plan in place. Commissioner Smith felt we should allocate the monies now and would we be willing to expend 17% of our water retained earnings to start this now. Mr. Cusick said there are ARPA funds that the City already has. The Commission asked for my prioritization and it was the Indian Hill line, this and the interconnect with Amesbury. Maybe we should apply the ARPA funds that the City has to these projects. Mr. Gove said he understands if you want to wait until July for the next fiscal year. If you are interested on getting the answer on what is required going forward and potentially advancing some of this the best bet would be to start now so once August comes around which is the next round of SRF funding requests you will have a draft report done and some sort of plan put together so you would have the ammunition you need to make a decision whether you want to submit for the SRF. The SRF program is where a lot of the money is being funneled through from the infrastructure bill. They are making more money available for zero percent loans, principle forgiveness. There is a lot of money available for PFAS. If the decision was to do something with filters or treatment for Bartlett Pond having this report would put you in a better position to request that funding. Mr. Gove said you could take tasks out. One of the big one is \$35,000 for rapid scale small column testing. It is essentially taking a blend of water and sending it to a lab for testing to see how long it takes the PFAS to break through. It's early in the discussion phase and Tom hasn't mentioned it but we do have talks

ongoing right now with new technology that is considering wanting to do a pilot for Newburyport to improve the technology. It's being used in other parts of the country and would help with the removal of PFAS. The idea now is there would be little to no cost to Newburyport to do this. We are still working through that and it is still early in the process but it would help us get answers on how best to move forward. That one item is making up a large part of the \$170,000. Mr. Cusick said maybe we pull that out, look at the grant assistance. He asked Doug what he thought about dovetailing that into the pilot we are going to be doing. Mr. Cusick said he would like to start with the rapid scale testing because it seems to be the most important to figure out what we are going to do moving forward with the GAC filters and if these folks are going to help us with a pilot and it's going to be free. It's great PR and we can show the public that we are doing everything we can to stay ahead of this and then we can potentially get that money back. Commissioner Jones feels we should address the PFAS issue right away. Commissioner Friede asked if we break the proposal into smaller pieces do we have money to pay for certain parts until next year's capital improvement plan gets approved. Ms. Knight said she believes we do not because we are not meeting revenue targets. Consumption has gone back to pre-pandemic levels. We exceeded revenue targets by 11% last year but that has dropped back. The engineering consulting line is expended and everything is encumbered in that line. It would have to come from retained earnings. The Board felt that they should try for the \$170,000 rather than breaking it up because some of them go hand in hand. Ms. Knight said anything over \$25,000 has to go up to the Mayor's office for signature so she feels the whole plan should be sent up. Commissioner Friede asked if doing this would put too much on the department's plate because there is already so much going on. Mr. Furnari said the department put together a priority list together which the Mayor has but will go more in depth with numbers. We are going to meet with the Chairman of the Budget and Finance Committee on Tuesday to discuss all these projects that we have coming up because the ARPA and federal money that we have coming down the line. We are hoping we can put some of this money towards these projects. The Mayor is sympathetic to what is going on. After we have our meeting on Tuesday with the Councilor, Tom and I may have to meet with the Mayor and maybe we will bring Doug in with us but will no more after that. Commissioner Tomasz asked who we are competing with for this money. Mr. Furnari said there is about \$5.4 million that we have in ARPA money. Two million is going to roads and sidewalks. One million already went to Phillips Drive water project. There will be about \$1.5 million floating around. We have been having weekly meetings and they asked me to go to my staff and put a comprehensive plan together on what we need and what our priorities are. We are doing that and I think we may be able to get another \$1 million. Commissioner Smith stated there are three critical failure points all of which the department is working on and this treatment process along with the other projects give us a resilient system. Mr. Furnari said at the meeting he had on Thursday they were leaning more towards putting the money towards the interconnection with Amesbury. He feels it would be good for the department if the Commission could put a vote in tonight to move forward with this project pending funding. Mr. Furnari said the Commission would get an email copy of the plan when it is put together. Ms. Knight said the Commission would also receive a copy of the CIP submittals prior to being submitted to finance on the due date of February 28<sup>th</sup>. Mr. Cusick feels a written back up letter about the importance of all of these projects coming from the Commission is needed. Mr. Furnari feels a letter from the Commission goes a long way. The Commissioners agreed it is a good idea and will work with the department to come up with the letter.

*Commissioner Smith made a motion that we recommend that this task order be initiated once we get funding approval from the Mayor's office. Commissioner Tomasz seconded. All those in favor?*

*Vote: John Tomasz yes, Roger Jones yes, Sandy Friede yes, Owen Smith yes*

- Peter Durning from Mackie Shea Durning appeared to discuss the memorandum that was circulated to the Commissioners. Mr. Durning apologized for the delay in getting the memorandum to them. There are some high level take aways that we can discuss from the memo that get to the concern that Tom and the Commissioners brought to us which is the ability or the extent of Newburyport to conduct some extra territorial,

extra jurisdictional enforcement in West Newbury. Commissioner Smith asked who the client is. Is it the City of Newburyport as the memo states or is it the Newburyport Water Works and we are a separately chartered entity. There could be a potential conflict regarding some of these matters and the nature of what we are talking about. Mr. Durning stated the client pursuant to their engagement letter is the City of Newburyport Water and Sewer Commission. The letter was addressed to Tom as the Superintendent for the City of Newburyport Department of Public Services Water Division. Commissioner Smith said it was the first line of the memo that caught his eye and do we want to have something there for clarity. Mr. Durning said it is a point well taken and the Water and Sewer Commission was the intended client for the letter. Mr. Durning continued say there is not a lot of case law in this area. Some of the conclusions that we draw are drawn to some extent from cases that are somewhat incomplete. There is a very preliminary injunction in the Acton case that didn't go all the way to a full adjudication so we are drawing some inferences from them but the big issue in the case was the extent to which a town or a municipality could take an enforcement action based on the State water regulation. In that case the court said no. A town or municipality can't stand in the shoes of State agency to enforce those regulations. I think although there are some water supply regulations that apply to areas for water supply that extend beyond a municipality although that is not an issue in the Acton case. The municipality itself cannot be the actor enforcing the state regulations. If you were to take such an enforcement action you would need DEP to be a party with Newburyport and based on my interactions with this Board my understanding is DEP has been reluctant to take those actions so that might impede Newburyport's ability to seek enforcement in that way. The other major takeaway would be our conclusion that Newburyport itself could not undertake an enforcement action in West Newbury either based on Newburyport's own ordinances or by-laws or even West Newbury's ordinances or by-laws that Newburyport would lack that extra territorial power authority. Our recommendation is to be able to undertake some enforcement in West Newbury you would need and want the cooperation of West Newbury that could potentially involve new or additional ordinances so you would be able to get the kind of protection and enforcement you would want. Even if they were on the books in West Newbury you would need their cooperation to undertake that enforcement.

I think those are probably the biggest takeaways. The rest of the memo talks about the great array of public statutes and ordinances that are designed to promote public safety and welfare of the environment but the enforcement of them are unclear. Although there are some very good statutes on the books it's not clear how a municipality operating under them would seek enforcement or even more so seek enforcement beyond their jurisdictional borders which leads us back to the ultimate conclusion from the memo that the best way forward to get better compliance in West Newbury would be cooperation and pursuing any such enforcement through West Newbury.

Commissioner Friede asked if we should go to executive session if we are going to be discussing our strategy dealing with West Newbury. Mr. Durning said that option would be available to you. We wouldn't necessarily be contemplating litigation over the issue right now but it would be advice from council. I think it would fit within the executive session exemptions to the public open meeting law. Commissioner Jones said he doesn't feel we are at that point because West Newbury came last month asking us to cover them which we are anyway. I think we need to see how much we can support each other.

Commissioner Tomasz asked if he is correct in his understanding that essentially Newburyport can't do anything, West Newbury can do something and the DEP could do something too but they are just too reluctant to do it. Mr. Durning said he agreed with that assessment. He said he was not privy to any direct discussions with DEP on this. He doesn't know if they deemed it to be so minor that it doesn't require their time. My understanding is there has been some communication with them about it. But yes they would possess authority to undertake enforcement of this issue. Commissioner Tomasz feels we should pursue DEP more before dealing with West

Newbury. Mr. Durning agreed and he doesn't know if anybody has a history of making requests to the DEP. Commissioner Smith asked where the line is drawn between the local conservation commission and DEP enforcement action. It seems to me the conservation commission is the one that initiates. Mr. Durning said it could initiate either place. It's a matter for the Northeast regional office to see if they would get involved.

Mr. Cusick feels we have every right to go in and inspect in West Newbury and asked Mr. Durning if that is correct. He replied he does not come to the conclusion that you have authority. He said there is a section that says the statute provides for investigatory or inspection authority. Gail my associate who did the memo said there is no support for enforcement. I can dig into that a little bit more. Commissioner Smith said we should be able to inspect if whatever was happening caused irreparable harm. Mr. Durning said his caution there would be the extent to which we would be able to demonstrate irreparable harm could be difficult insofar as an analogy to that situation where conduct had been happening for an extended period of time there could be an argument that this similar conduct has been occurring and it may be difficult for Newburyport to demonstrate that one instance that was observed during a particular inspection necessarily gives rise to demonstrable irreparable harm. A very similar situation was the Acton case with the sand and gravel operation that was getting into the water supply. The court did not feel in part due to the longevity of the conduct being conducted, that there was a real demonstration of irreparable harm. Mr. Cusick does not believe there is a parallel to the Acton case with the activities that are happening. There will be a direct violation of a setback to the tributary. We have analytical data that shows where stuff is coming in. If they are stabling horses within the tributary you cannot have a horse or livestock 200 feet from the tributary. All I am looking to do is point out those properties that are in Zone A and put together an inspection process and I think we do have the right to gain access to those properties for inspection purposes. In fact DEP said if I don't do it I'm in violation. We could have a consultant go out there and make a determination and a delineation of where the tributary is and how far they are supposed to be from that and have them tell them there should be a fence and their horse can't be there. Then go back to DEP and say we have done our job and did our inspection and tell them we can't enforce but we are letting you know this is what is going on. We are looking to communicate with the land owner and get the Town of West Newbury to buy in on this. Mr. Durning said he does want to confirm on the inspection authority. I think you are correct. I would also suggest you let DEP know which days you are going to inspect so they are informed and if they want to participate they could. Commissioner Smith asked because we are talking about particular examples and what our strategy is to seek relief should this be in a public meeting or should we move this to executive session. Mr. Durning said to the extent the results of the discussion could potentially lead towards a litigation situation I think it would likely rise to that level. The more we can keep it on generalities I think we are fine. Mr. Durning asked Tom if it makes sense to him he would like to get a short follow up to him confirming that inspection authority and flowing from that potentially working up a protocol with Tom that could be employed. Mr. Cusick said yes. He said it is really a public education issue and there will be more information coming in that will help the public education piece. To clarify that the City has the ability to go in there and do an inspection process I think would help us. Commissioner Tomasz said a letter should be sent to West Newbury stating we are concerned about protecting the watershed. The drinking water supply is what you get from us. We would like your help and assistance in making sure what is happening around our water supply does not cause any pollution. But at the same time inform the DEP that we think we may have some issues and we are looking for what they need from us to maybe start some sort of enforcement action. Say we find that some of the homeowners are not cooperating. Mr. Durning said circling back on what Commissioner Smith said, I do think that is appropriate avenue to explore in an IMA with West Newbury. I think it is one of the issues that could be on the table and to the extent it allows good cooperative relationship on a variety of issues. Commissioner Smith said the biggest thing is to have a standard set because it is a lot easier to enforce a standard. If we could get a voluntary standard between the two municipalities we could come up with a plan to

get a scope of the problem if any. We can't do anything unless we have data to back up our position. Mr. Cusick said he has a draft and if the Commission agrees to it he will send it off to West Newbury.

### 3. Approval of Minutes

*Commissioner Tomasz asked if there were any changes, questions, comments on the meeting minutes from January 19, 2022. All those in favor of accepting the meeting minutes from January 19, 2022?*

*Vote: John Tomasz yes, Sandy Friede yes, Owen Smith yes, Roger Jones yes*

### 4. Business Managers Report

- **Meters:** The Distribution Superintendent and I are moving forward with Environmental Partners to develop a scope for potential transition/migration to AMI system.
- **Billing Software System:** The staff has done an excellent job. We rolled out the billing software in late September. I have also added online bank direct for the matching of invoices to payments which will decrease lien amounts at the end of the fiscal year.
- **Interviews:** We held interviews for the Administrative Assistant position. We have chosen a finalist and we are moving forward with an offer.
- **Reconciliation:** I rolled out a reconciliation process. I've been working closely with the assistant auditor. We took a look at our books today and we are almost completely balanced.
- **FY23 Budget Process:** Underway. We kicked it off in January with the operating budget. We have nailed down all capital and you will be seeing that sometime next week. The budgets are due the following week so you will see those documents as well.
- **Consumption:** As I stated before, consumption has rolled back. Looking at the blue chart it's a little different from what you usually see. I am showing FY19 and FY22 to show prior pandemic levels is in the blue column and current is in the red column. We saw the increase in revenue due to a lot of people working from home. People have gone back to work.
- **Budget Performance:** We are currently 62% through the year. Water is 66% expended and sewer is 69% expended. Total revenue for Water is \$3.3 million. We are running in a cash flow deficit of about \$54,000. Sewer is running in a cash flow deficit of \$167,000. I'm keeping a close eye on that in the revenue consumptions to see if we will make it to the end of the year.
- **Budget Timeline:** In your packet I've included the budget timeline. I will also forward you all the documents prior to submitting them so at the next meeting you can ask questions/comments. You can also email me.

Commissioner Friede said before the capital improvement plan is submitted to City Council we will have another monthly meeting so we will have time to discuss it. Ms. Knight said that is correct. She said she submits by the 25<sup>th</sup> to the Finance Department. We have individual department meetings on March 7<sup>th</sup> through April 1<sup>st</sup>. CIP gets submitted on April 1<sup>st</sup> to City Council. You will have a chance at the March meeting to make comments and discuss it. There are public workshops which you are welcome to attend. You will receive a copy of the booklet that I submit to City Council.

Commissioner Jones asked how much to replace the meters. Ms. Knight said we are estimating about \$3.5 million to replace all the meters throughout the City. It would be a debt service and we are pursuing grant funds as well.

### 5. DPS Operations Report:

*Jon-Eric White noted the following on the Engineering report;*

### **Surface Water Supply Protection and Resiliency Project**

- We submitted grant requests for paying for preliminary design for the Indian Hill raw water line as well as preliminary design for the Lower Artichoke Dam. One grant was a letter of support for MVP and it's a vulnerability grant with EEOA for about \$450,000. The other was a dam grant with the Office of Dam Safety. It's a dam seawall repair. We submitted that on February 3<sup>rd</sup> for about \$83,000. We have to decide whether we want to start some of these designs prior to getting the grant.
- Interconnect with Amesbury. Mass DOT gave us comments. They want us to provide structural calculations but we have a phone call into them to find out exactly what they want. Commissioner Tomasz asked if Amesbury needed, could they get Newburyport water. Mr. White said yes in the future it could be two way. The immediate need is only one way-Amesbury to Newburyport because to go the other way you would need a pump station. Mr. Cusick said when speaking with Amesbury and asked would they share those costs for a permanent connection they said they would. Mr. White said we should just have a MOU just for the temporary to start. He said Amesbury may say we will give you the temporary for the emergency providing you help us in the future. Commissioner Smith asked who drafted the MOU and Mr. Furnari said Environmental Partners.

### **WWTF Sidewall Flood Protection**

- BSC is working on doing some borings.

### ***Dave Shaw noted the following on the Sewer Collections Report;***

#### **Lift Station/SLM Maintenance/Miscellaneous:**

- As you can see the flushing has gone down for the month of January. We only did 2,100 lin/feet. One of our collection operators left and we are in the process of hiring someone new.
- Graf Road lift station muffin monster has been installed and is back to normal. The guys helped with Weston Sampson and got it in in one day.
- We were having some issues at the Savory lift station with the pumps getting clogged two/three times a week. We did a mailing and while I was away Jamie hand delivered notes to all the homeowners about flushing rags which get stuck in the pumps. That has been going well for the past couple of weeks.

#### **Plum Island Maintenance:**

- Running well but had issues with freezing.

### ***Chris Pratt noted the following on the Wastewater Treatment Facility Report;***

- Plant ran well last month. Removals were great.
- Generator is up and running. It is now operating the way it should auto transferring back and forth during power outages. The exception is the alternator that came with the original generator had a bad diode so they took the old alternator and put it on and it is working fine. New one is 8 weeks out. The ECM on the new generator was not talking the same language as the original control panel and switch gears so they put our original ECM back on this new engine. New ECM will be installed in the near future.
- Emergency Generator Switchgear PLC failure. Kraft gave a price of \$200,000 to replace. Working with Power Up to come up with a new scheme. That will be in our CIP.
- Quotes for the secondary clarifier assessment from Walker. Working with EPG on that. Expecting a memorandum from them for the engineering estimate for the entire project which means the mechanisms for the two existing clarifiers, the new clarifier that we want to build and construction, design, etc.



- BSC is the engineering company that we are using for the wing wall resiliency project. We supplied them with half a dozen additional borings to tag on to their borings that they are doing. Those borings in question are for the placement of the additional secondary clarifier.

***Jon Carey noted the following on the Water Construction Division report;***

- Working on water breaks and glad that we have our emergency service contract with Masterson
- Working on the meter change out to be ready for the CIP season.
- Working on valve turning program. Had a meeting this morning. It will probably get bumped from April to May so that we can accomplish a scaled back flushing to help Tom with the TTHMs and water quality. We don't want to be doing both at the same time. Staffing is continuing to be an issue. I will be down to two guys next week.

***Tom Cusick noted the following on the Water Treatment report;***

**WTP Operations:**

- Cleaned chemical storage tanks.
- PFAS sampling current and ongoing. We did discuss a PR effort prior to CCR going out. May be a consultant.
- Started project for Hach Wims, an in plant project with our IT person. We are going to be updating all of our hardware and software on our scada system to give us more flexibility.
- Jar testing to get back down to levels that we were for treating TOC. That was a different seasonal demand.
- The UCMR5 will take place starting in 2023. That is going to expand on the PFAS testing to include 26 additional compounds. Not including the six that are already regulated.
- Lead and Copper per NON. One of the requirements is when we get this information back from the lab we are supposed to send that information with a response letter to all the owners. There were no violations or health risks. It is purely a violation on my end where everybody got notified except for the two schools. They got notified in 36 days and they were supposed to get notified in 30 days.
- Response letter to West Newbury. I want them to understand that not only are we dealing with flushing but we are dealing with the valve exercise program that could interrupt service. I want to cover all our bases in this draft letter. I will circulate that amongst the group so please comment. Expect that within the next day or two.

Commissioner Smith asked if West Newbury can send water back to us. Mr. Cusick said because they pump to a tank they cannot.

**Reservoirs/GW sources:**

- Moved water from Upper Artichoke to Lower Artichoke to create a more positive head situation at the dam and it was in preparation for the last winter storm did some good work with Jon-Eric and Tony in trying to develop a protocol for any short term mitigation if we think we are going to be seeing storm surge approach the high to the lower. It's a work in progress.
- I sent you some information on dredging. It is something we need to be looking at for transferring water from Indian Hill down to the Upper. We are getting choked off with growth and having a hard time moving water. We are putting together some costs and have three but are waiting on one more.

**6. Warrant and Contract Signing**

Commissioner Tomasz asked if anyone had any questions or comments on the 1-8 bills from February 16, 2022. There were none.

*Commissioner Tomasz said all those in favor of the February 16, 2022 bills payable say yes.*

*Vote: John Tomasz yes, Roger Jones yes, Sandy Friede yes, Owen Smith yes*

Commissioner Tomasz stated that he is selling his home and because he cannot find another house in the City will most likely not be living in Newburyport which does not make him eligible to be a commissioner any more. He said this will most likely be my last meeting. Roger you are the Vice Chair so I will let you folks decide how you want to proceed moving forward since I will most likely not be here. He said he may be away from the City for three months or one year. Mr. Furnari said he will look into the matter with the City Clerk since Commissioner Tomasz may be back in the City. He said he is aware of some provisions for others that live outside cities and towns and have been on boards. Commissioner Tomasz said he thinks he will be back in Newburyport at some point. He worked in Salem for a few years and thought the Mayor, Kim Driscoll was an outstanding person and intelligent. I would like to spend some time working on her campaign. Mr. Furnari thanked him for his 20 years of service to the Commission.

## **7. Next Meeting**

- March 16, 2022 at 4:00 pm.

Respectfully Submitted By: Karen Bush