

**Minutes of the Board of Water/Sewer Commissioners**  
**Wednesday, October 28, 2020**  
**4:00pm Zoom Meeting**

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

**Staff:**

Director, Anthony Furnari

Business Manager, Julie Spurr Knight

Collection Superintendent, David Shaw

Sewer Chief Operator, Chris Pratt

Water Superintendent, Thomas Cusick

Assistant Water Superintendent, Christopher Hood

City Engineer, Jon-Eric White

Water Distribution Manager, Jonathan Carey

**1. Mayor Holaday**

*Not in attendance.*

**2. Appointments/Customer Issues**

**10 Turkey Hill Road, Larry Russell**

- Larry Russell is appealing an Abatement Denial dated 10/1/20. Commissioner Tomasz asked Mr. Russell to clarify what he meant by his statements on 4/13/20. On one paragraph you state you didn't find any leaks but then you said you had a plumber take a look and an outside faucet was leaking. Mr. Russell responded by saying he was unaware of any leak at all and then he got a leak notice so he checked the hose outside and had a plumber come and he shut it down, locked it up and said it would be fine. Then the next bill was approximately \$1,200 and he was surprised. He said he got a plumber to come but they weren't able to "come yesterday" when he really needed him to come. He said he eventually came two or three weeks later and he completely repaired it. The plumber felt that what he did would eliminate any future issues. Mr. Russell said he wrote a check to pay for what he normally would have paid. Mr. Russell is asking for the Commission's with some help with this bill.

Commissioner Tomasz asked if any of the Commissioners had any questions. Commissioner Rogers stated that when he went through the documentation it appeared that once Mr. Russell had it repaired it had been somewhere in the 2,000 range then it jumped to the 7,300, you found a leak and had it fixed. The final appeal was denied because you were late to submit. He asked if this was correct. Mr. Russell responded that it probably was late because he couldn't get anyone to come. Eventually it got fixed he believed in April. Commissioner Friede stated it appears that he got billed on May 25 and didn't request the abatement until much later and missed the deadline. Ms. Knight clarified the bill date as March 15, 2020 and he was denied the abatement because he was late. The bill was in the amount of \$1,218.90. Commissioner Friede asked when he requested the abatement because it looks to be September 22. Mr. Russell responded he requested the abatement 4/13/20. Commissioner Friede said on that date he was instructed to fill out the form and the form didn't come back until 9/22/20. Mr. Russell said he sent the form back the same time. Commissioner Friede said that would be surprising because he just stated he didn't send it in until the plumber came and he didn't come until May 25. Ms. Knight said she was looking at a signature date of 9/20/20 and it was received via email on 9/22/20. Mr. Russell said that Karen had said to send it again. On April 14<sup>th</sup> the plumber came to the house.

Commissioner Tomasz mentioned that he spoke to Tony Furnari and Julie Knight about the 15 day deadline and that he felt it was a difficult timeline. They will be reviewing that later. He stated that Larry understands that there is a 15 day deadline and he was within 30 days which Commissioner Tomasz feels is reasonable given that COVID was happening. He feels that this has dragged on longer than it should have but he feels Larry did the right thing.

*Commissioner Tomasz made a motion to have Mr. Russell get an abatement.*

*Vote: 3 yes (Tomasz, Jones, Friede)*

### **1 Clark Road, Cynthia Gompers**

- Ms. Gompers is appealing an abatement denial dated 10/1/20. Ms. Gompers stated she had an irrigation leak and when discovered was fixed immediately. She stated they were in the time frame of the abatement but we did have an abatement within 10 years. Ms. Gompers said she spoke to the woman on the phone and explained that the abatement was for a huge water bill for \$10-12,000. There were a lot of people in Newburyport at that time complaining they had obscene water bills. It was discovered that there was someone in the water department that had read the meters wrong or that the meters had just been changed at that time. The abatement that we got then was years later that we were told we could go for it. She stated that it wasn't her problem or that she had caused it. It was something to do with the person in the water department and she remembers back then she heard through the grapevine the person was eventually fired. She stated it wasn't just her it was a lot of people in Newburyport, 15-20 people who were writing into the newspaper and everyone had very large bills. Ms. Knight interjected and stated she has looked into the history of the account. She stated that in 2007 there was an \$11,000 water bill and that was prior to the 2008 meter change out. That bill was taken care of. Ms. Knight also stated in 2008 the City changed to remote reading. The documents states that in September of 2009 a high bill came in on your property and you applied for an abatement. There are several correspondences indicating there were four or five toilets leaking in your house. In 2015 you received an abatement in the amount of \$1,872 for those leaking toilets. So the \$11,000 you previously mentioned was actually prior to you moving into the house and was rectified. Ms. Gompers stated she had forgotten about that. She already sent the check in for the bill. She will look into filing a claim with her insurance.

### **3. Approval of Minutes**

*Commissioner Tomasz made a motion to approve the Minutes of the 9/30/20 meeting.*

*Vote: 3 yes (Tomasz, Jones, Friede)*

*Commissioner Cook has joined the meeting at 4:30 pm.*

### **4. Business Manager's Report**

- **53 Warren St.** - Julie Knight reported the remediation process is complete in several units at 53 Warren St. Mold testing was wrapped up this week and the units with heavy damage are ready for restoration. She is working closely with the insurance company and unit occupants by giving them contractor names and helping them out with the quote process. She is working on all the expenses and her hope is to get the displaced people with the most damage back into their units by Christmas.
- **Water Meter Software Project** – Completely wrapped up the data scrub and have already seen some increased accuracy in pulling in data for billing. We are hoping Friday to have the software installed and will be able to test in the November bill run.

- **Billing Software** – MUNIS suffered a large data breach a couple of weeks ago. They are a national company that offers accounting software for many municipalities. We are waiting for them to sort out their data breach. We have an aggressive target date to go live on December 3. Staff is doing heavy training on the system. It has a GIS reverse notification system attached to it.
- **Procurement** – Working on a RFP for Water and Sewer Scada Controls. Meeting with the Water Superintendent and the Chief Collections Officer to join forces for that RFP. We are starting to consolidate some service contracts to be more efficient.
- **Liens** – Sent out liens amounting to \$550,047. Overall liens are up 9% from last year. We are receiving quite a few payments.
- **Rates & Fees** – We are in the process of putting together a rate study. We are going to develop a team to outline what we want to see out of that study. The study will include water facilities, infrastructure, operations and capital needs.

Commissioner Tomasz asked who is doing the study. Ms. Knight reiterated that a team is being put together to come up with a scope for the consultant part of the study. We have not chosen anyone yet. We are just at the beginning stages of it. I have met with John Cusick and Jon Carey and we will try to meet next week to outline what we want to see from the consultant.

Ms. Knight stated that also in the Commissioner's packet was a fee schedule showing the fees to be increased. I met with Jon Carey and Karen Bush and I came up with a rate that includes labor, fuel and supplies. This is just scratching the surface but we do need to go up on these rates immediately. During the rate and fee study we are going to look at this deeply. I feel that within that rate we should also be including retirement costs and workman's comp insurance. When an employee is sent out to do a job his labor rate is not the only thing that's out there. I do ask that you vote on this fee schedule today. For instance the meters have a fee of "at cost". We have not been charging for meter horns and we put them in "at cost" so if the price of copper goes up we can go up on our costs as well.

Commissioner Tomasz stated he liked the report Ms. Knight put together and there is good justification for the increases.

*Commissioner Rogers made a motion to approve the rate increase. Commissioner Tomasz made a motion to second.  
Vote: 4 yes (Tomasz, Jones, Friede, Cook)*

- **FY 21 Budgets** – City Council approved both the Water and Sewer FY21 budgets.
- **State Retirement Appropriation** – State retirement appropriation was submitted to Essex County retirement system on October 22.
- **Enterprise Assets** – Asset sheet completed and submitted to Auditor for submission to MIIA on October 21<sup>st</sup>.
- **COVID 19** – Due to the increase in positive cases in the state, the Department increased safety measures across the board to protect staff and public from the spread of the virus. The office continues to work with finance tracking COVID 19 related costs for reimbursement from the Cares Act.
- **Consumption** – The last quarter consumption data depicts a large jump in consumption specifically June-August. The jump is directly related to drought conditions, though customers were supposedly under water restrictions. In comparison to the same consumption quarter last year (FY20) consumption shows a 14% increase. In addition to drought conditions, the data cleaning project may be responsible for a small percentage of billing accuracy. The upgraded software will also improve data collection accuracy.
- Year to date the Water Enterprise still continues to struggle. Without the cushion we are at \$567,000 in the negative. The Sewer Enterprise continues to perform well at just over \$1 million in cash flows.

Commissioner Tomasz asked why we have not paid any debt for sewer but we have for water. Ms. Knight responded that the bills have not yet been received. They are on a bill schedule.

Commissioner Rogers asked whether we are not using enough water or not having enough income. Ms. Knight responded that the last quarter bills are coming in now and there will be an uptick in revenue and you will see it the next time we meet. The 9% in delinquency is an indicator that people are a bit slower in paying. We have seen an increase in payment on the delinquent accounts since the lien notices went out. With the new billing software we have rolling out it gives people so many ways to pay, text alerts, reminders. We try to work with the customer to set up payment plans if need be.

*Commissioner Tomasz made a motion to accept the Business Manager's report.*

*Vote: 4 yes (Tomasz, Jones, Friede, Cook)*

## **5. DPS Operations Reports**

***Jon-Eric noted the following on the Engineering Report;***

- Mr. White wanted to remind the Commission that there is acute work and chronic ongoing work for watershed protection-the Tighe and Bond contract. There is a lot of overlap between my updates to you and Tom Cusick's updates. There are five tasks with the Tighe and Bond contract. We have watershed protection, field survey, dam inspection, the H & H and the evaluation of the breach of the Merrimac water supply protection recommended improvements. The operation report given in front of you contains some specific items. The five tasks that I just mentioned are more global. When they're done it is still more of an updated recommendations report. It's still a feasibility report. We will come out of this with our recommendations for improvements to the entire system from water shed protection to raising the dam, raw water line. I want to let everyone know that Tighe and Bond will come up with recommendations for capital improvements and they will cost a lot of money. Tom's work is acute that overlaps with Tighe & Bond's recommendations. There's a lot of ways to prevent an algae bloom. A raw water line from point A to point B is one way. For the low hanging fruit one of the items we are trying to protect is the breach over the spillway. We went in front of the ConCom in West Newbury for a means of putting up sand bags. The only way to do that if you remember was to put up a stone foundation. That ConCom hearing is still ongoing. They are looking for more wetland flagging from Hancock Survey. We made it through this season without a hurricane so we are all set. Hopefully we'll get the foundation built before the end of the year and that will get us ready for next year.
- Tighe & Bond is also looking at ways to improve water quality and that would be a raw water line from Indian Hill down to the pump station. I gave you a quick update on that the last meeting. The new update is that we proceeded further into conceptual design and they put together some profiles. I added a couple of alignments. Tom added his comments. Tighe & Bond added more profiles and they have a cost estimate. Ongoing revisions for the sixth proposed raw water line has a price tag of \$14M. We were going to use that figure for the grant money but it is too high. I didn't recommend it and the Mayor didn't want to do it. This is going to be added to the entire report of Tighe & Bond. Instead of doing the entire raw water line from point A to point B, maybe we go from the Upper Artichoke dam to the pump station and do things in segments. We will present that to you later. The \$14M is just a placeholder. We have more work to do on it. We are going to look into the true costs of having pure gravity versus the options with pump stations.
- Tighe & Bond did an inspection of the dam and I received a draft report today. I will send to the Commission and Tom Cusick for review. The dam is insufficient, in poor rating and needs to be improved upon. Regarding the interconnect with another community, the easiest one was with Amesbury during the algae bloom. We rushed to work with Mass DOT to get an interconnect permitted and approved. The algae bloom got taken care of quite well by the entire team. The limnologist that Tom hired did a great job. We still have the connections

to make and get it permitted with Mass DOT. This is ongoing. The first thing would be the connection on their side then the connection on our side. Hopefully \$20K tops and we'll be done. The temporary by-pass line on the bridge is ongoing. Mass DOT has to review it so we have many weeks and months to review that.

Commissioner Tomasz asked where the line would go on the bridge when it's constructed. Mr. White stated the line would go on the bike path which is 14 feet wide. They feel it can sit on half the width and HDPE plastic pipe expands quite a bit and will expand multiple feet over the 2500 foot length. We need to it to snake on the bike path and right now Mass DOT wants more detail. Commissioner Rogers asked if they would use expansion loops. Mr. White responded that they looked at the expansion that was needed; they looked at the layout and whether they could do it with 7 feet. Hopefully it will be installed on a hot day when the expansion is greatest and as the temperature goes down it will reduce. If we were to install the pipe in February when it is the coldest and we have it sit there for eight months, go through 100 degree hot temperature days that expansion will be the worst. We don't want to present the worst case because you don't get algae blooms in January. We don't think we need expansion loops. We think we can do it with having it snake on the ground.

- Other work being done to help out Tom Cusick was a drone flight of a potential algae bloom of the stream bed from Indian Hill down to the Upper Artichoke.
- Working with K&P on finishing up the legal rights regarding the dairy farm. Tom Cusick can speak more to that.
- **Columbus Ave Water Main Replacement.** Contractor did the tie-ins for the side streets. Waiting for them to do the by-pass. There is a chance that they may not be able to do it this year and they will have to wait for the spring. We are looking on options and we will give you updates on it. The water line is operating; the cuts were done in a manner that the residents can get their water. There is no rush to finish it.
- **GIS – Ongoing.**

***David Shaw noted the following on the Sewer Collection Report;***

**Lift station/SLM maintenance/Miscellaneous:**

- September flushing 15,816 LF has been cleaned.
- All Lift Station Generators have been serviced for the upcoming winter.
- Cleaning of lift station wet wells ongoing.
- Graf Rd deodorizer blocks working. No complaints.
- Working with BETA for replacement of Storey Ave L/S and relocation of Water St. L/S.
- Obtained some quotes for VFDs for lift stations which are in the process of getting approved now. You will see some updates in the future.

**Plum Island Maintenance:**

- Working on a project to replace all the battery packs that are inside the manholes.

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

**Pretreatment:**

- FOG program/sampling ongoing. Modified schedule due to COVID-19. We are having fewer issues than we normally would have because a lot of the restaurants are closed down.
- Permit Renewal forms for PCI delivered. We have several ongoing renewals: EPI, Micrometals, Rochester Electronics all on the docket for a complete review of their system.
- Jerry Cronin as of today and tomorrow is doing a virtual New England Pretreatment Conference. He normally does that in person. Jerry found out today that the City of Newburyport is on the agenda as a City that is due to

have a pretreatment compliance inspection. It is done every 5 years and it's been 4 years as of this month since we have had one. We are on the list to have that done this coming fiscal year.

#### **Operations:**

- As you can see the flows have been down through September. We have 1.234 MGD averaged which is historically low. I would be safe saying that is our base low with virtually no rain with the exception of the last couple of weeks. Anything beyond that at this time is mostly due to ionic. The decrease in restaurants and commercial businesses adds to it. The drought is definitely the driving force.
- Plant did well throughout the summer. Still maintaining 95-96% removal which historically is really good for this facility as its tough during the summer. I give a lot of credit to the guys for keeping the day to day monitoring effort on the process.
- Plant met all permit limits for the past month. We have increased monitoring--primarily nitrogen nutrients. In the next permit cycle there is a better chance that we will see some type of limit coming.
- DO Probe is AER #2 replaced.
- One thing to note again with the low flows is hydrogen sulfide. All the nasty odor causing constituents in the wastewater increased dramatically because of the drought. In the last two years since we did the odor control and we did the bioxide in Plum Island we have seen levels around one but this summer we have seen an increase of 3-5 but even given that the odor control system is doing well. We haven't had any odor complaints. Three weeks ago we had about 3 inches of rain in a week and we did see those levels drop down to basically zero.
- NPDES permit is in full effect.
- Mr. Pratt has been working a lot of hours on the revetment/rail trail. Seems like it is 80% revetment and 20% rail trail. Reviewing plans and specs. It looks like right now their target to go out to bid is November 4<sup>th</sup>, receive bids on November 16<sup>th</sup> and the work to start is January 1<sup>st</sup>. If the Commission has been up to date on the public utilities committee and the council, they did approve the transfer of funds to make up the difference between the grant money they have for that project and the shortfall. So we do have the funds available for that. It looks like National Grid is going to kick in \$100K for their portion which is to raise their manholes. This is a 6 month project running through June 30<sup>th</sup>. For grant purposes it has to be done in this fiscal year which is June 30<sup>th</sup>.
- Mr. Pratt said that there have been some posts on Facebook about testing the wastewater for the coronavirus. We have done some spot samples. There is a company in Cambridge that works in conjunction with MIT called Biobot. We did some testing in May or June. It basically gives you a statistical analysis of the number of cases in the City per capita. We have approval to do a couple more tests. We are going to do some testing today and next week and then one month from next week to get some type of trend. They are not necessarily testing for the number of viruses themselves they are actually testing for the bits and pieces of RNA. I will share that information once I get it.

#### ***Jonathan Carey noted the following on the Water Construction Division report;***

- As of today completed all hydrant flushing citywide.
- Repaired service leak at 30 Arlington Street.
- Tested shut downs for Columbus Ave water main replacement. Some of the work has been completed. It is now a stand-alone dead end main. There are new valves installed. Phase one of Columbus Ave project is completed. Next step would be temporary service and by-pass.
- Inspection of water service renewals. There was a main relocation in the area behind 6 Perkins Way.
- Due to hydrant flushing we have noticed some flow restriction (High Rd, Pine Hill Rd, and Curzon Mill area) and have been performing investigations and some new hydrant installations. Repaired some faulty hydrants as well.

- Prep for camera activities. Carl Soper performing leak detection and he will highlight the three areas to see if we can limit that down for camera observations.
- Still working on locating, raising, cleaning and repairing boxes in the safe routes to school project zone and the paving and sidewalk zones on Merrimac and High Street.
- Site visits of new projects.

***Tom Cusick noted the following on the Water Treatment Plant Facilities Report;***

**Reservoirs/GW sources:**

- Reservoir levels/drought advisory is the same. At a level 2 for our region. We have gone down about 1% at our reservoirs. Holding steady right now because we are getting some rain. Hopefully we continue to get more rain and things fill up.
- It has been confirmed at the Indian Hill Reservoir that we had a Cyanobacteria Bloom. Non-toxic, small in nature. Pretty insignificant as far as operations go but very alarming in the fact that all the reservoir systems for the City of Newburyport are susceptible to some sort of algal activity. As Jon-Eric mentioned we will be working for months to get all this information for you so we can have a public education portion to bring everyone up to speed as to what needs to be done long term and short term. This will definitely cost some money.
- Staff has been helping out with hydrant flushing.
- Cleaned storage tanks in preparation for the THM sampling that is happening in the fourth quarter. The whole system has been completely cleaned including the storage tanks and will put us in a good position for when we have some lower levels and we don't exceed our THM requirements.
- Mr. Cusick reached out to Artichoke Dairy Farm (see attached report that NRCS completed). Some of the fencing will need to be relocated and there has been some ongoing communication with the landowners. This is ongoing.

**WTP Operations:**

- Staff cleaned out the equalization tanks, sedimentation tanks, and flocculation for annual inspection. A few things came up regarding pump work and some miscellaneous things. Staff will stay on top of it and make sure the plant is in good shape.

**Off Site Operations/Water Storage Tanks:**

- Barrie Miller finished up the punch list associated with the well re-development at #1 Well.
- Working with some of the sludge removal process and there is some additional testing that goes with that. We budgeted for that increase for FY21.

*Commissioner Tomasz made a motion to accept the DPS Operation Reports as presented.*

*Vote: 4 yes (Tomasz, Jones, Friede, Cook)*

**6. Old/New Business**

- Commissioner Tomasz stated that he feels the 15 day deadline for requesting an abatement is a little too short especially if it comes during the holidays or someone is on vacation. He would propose that the Commission go from 15 to 30 days.

*Commissioner Tomasz made a motion for all those in favor to change abatement request requirement from 15 to 30 days.*

*Vote: 4 yes (Tomasz, Jones, Friede, Cook)*

- Commissioner Tomasz stated they have the Agreement from Environmental Partners and asked Mr. Furnari if the Commission has to vote on it. Jon-Eric responded by telling the Commission that the actual format would be to provide the Commission with a sign off on design contracts and the one included in the packet is for the interconnects.

*Commissioner Tomasz made a motion for all those in favor of having the City sign the Agreement with Environmental Partners for \$60,000.*

*Vote: 4 yes (Tomasz, Jones, Friede, Cook)*

- Commissioner Tomasz made reference to the “Proposed Trench Excavation and Safety Standard Operation Procedure” document in the packet. Jon Carey stated that he included it. He stated that every town that he worked at has had a SOP and prior to his coming one of the staff members, Tim Zetes, was injured on the job. From the City’s standpoint it would be good to have a full-blown operational SOP regarding excavation and site work. At the end of the packet I included a signature page. It also includes a sheet that I and a co-worker in a previous town designed and was adopted by the Department of Public Safety and is on their web page. Hillary Heckbart had come in for an audit and I was prefacing this because I know from time to time the DPS does come in and audit utilities. Additionally for MIIA grants they also look for a SOP regarding safety. It was something I thought would be beneficial to the department.

Commissioner Tomasz said he thought it was a good idea and wanted to know who the competent person would be. Mr. Carey said he would need to go through and check with his staff assuming that the Commission approves it. He stated that he is a competent person registered with the State and he would like to send some of his staff that is training through Mass Water Works to become a certified competent person for job sites.

Commissioner Rogers asked if that person is someone who would approve the way he is handling it. Mr. Carey responded that it would be for handling the specific job sites for water breaks things of that nature. Typically speaking the machine operator is usually the competent person on site. If it is a three man crew and a supervisor is on site that is not actively involved in the dig then that person is deemed the competent person. You would like to have one person on a dig site that is the competent person that can look at soil conditions and mitigate safety circumstances.

Commissioner Friede stated that Mr. Carey defined competent person pretty well and that they would be trained in OSHA safety standards but they can’t sign off unless they have that training. Mr. Carey stated that was correct. Mr. Pratt pointed out that now that we are under OSHA standards under Governor Baker’s proclamation last year that we do have to comply with the excavation standards. For anything over four feet we have to have a competent person involved. Mr. Carey stated that is something that a lot of municipalities have not come to realize. OSHA does not typically hand out fines to municipalities. He said it is more of a suggestion but thinks at some point we will be held to those standards.

Mr. Furnari stated that the department has had OSHA checking over the past year. Jon brought this to him and he feels it is a great idea.

Mr. Rogers stated that he feels Mr. Carey’s staff is the most likely to have this type of issue. He doesn’t know what other DPW crews do but the water crew digging is more likely to need this policy. Mr. Carey stated that when he came on board they said there was an issue with the trench box and he got that straightened out right away so we were covered and had proper shielding. Safety is paramount. Our job is to make sure the residents



have adequate fire flow and drinking water but at the end of the day he wants to make sure his staff goes home safe.

*Commissioner Tomasz made a motion to accept the new trench policy.*

*Vote: 4 yes (Tomasz, Jones, Friede, Cook)*

- 177 State St – Mr. Carey has been in communication with Andy Port and Tom Cusick regarding this project. T.J. Melvin supplied me with a temporary conditions report for that site and then pointed out a couple of areas where he thought it was pertinent. I was not satisfied with what was in that report based on some other language that was located in that document and pushed back on the planning board and commission to further vet the project from the standpoint of the VOCs in the soil located there. I believe the planning board has pushed back on them and they are working to secure a licensed site professional for that location. Tom had pointed out some concerns and both he and I came to the conclusion that neither one of us were qualified from the standpoint of working in depth in brown sites as far as it relates to public water. We wanted to make sure we protected the City's public drinking water supply. Mr. Carey has concern about other sites in the City, specifically the west end project down by the waterfront that will fall in line with this project.

## **7. Warrant Signing**

*Commissioner Tomasz made a motion to accept 14 warrants as presented.*

*Vote: 4 yes (Tomasz, Jones, Friede, Cook)*

## **8. Next Meeting**

Next meeting scheduled for Wednesday, November 18, 2020 at 4:00 pm.

## **9. Adjournment**

*Commissioner Tomasz made a motion to adjourn the meeting.*

*Vote: 4 yes (Tomasz, Jones, Friede, Cook)*

Respectfully Submitted By: Karen Bush