

**Minutes of the Board of Water/Sewer Commission**  
**Wednesday, October 25, 2023 at 4:00 pm**  
**16C Perry Way, Newburyport, MA 01950**

**Present Commissioners:** Roger Jones, William Creelman, Thomas O'Brien, Paul Suozzo, Kimberly Emmons, Prospective Commissioner Mark Spencer

**Staff:**

DPS Director, Wayne Amaral

Business Manager, Thomas Watkins

City Engineer, Jon-Eric White

Office Manager, Karen Bush

**1. Appointments/Customer Inquires**

- None.

**2. Approval of Minutes**

*Commissioner Creelman made a motion to accept the minutes from September 27, 2023. Commissioner Suozzo seconded.*

*Vote: Creelman yes, Jones yes, Suozzo yes, O'Brien abstained*

**3. Business Managers Report**

- Mr. Watkins passed around the budget summary. He stated there are no glaring red flags right now other than the sewer supplies expense line which jumped up to 86% expended. That is not all expended. We are trying to get all divisions into the habit of encumbering funds up front for the year in the form of blanket purchase orders. The vast majority of the supplies line is chemicals. We know the vendors, we know the costs and what we have historically spent. Commissioner Jones asked if that amount could change throughout the year. Mr. Watkins said the plan is to meet with the department heads quarterly to review their encumbrances. Chemical unit prices are locked in for the year by the consortium. Mr. Amaral stated if we give someone an open PO for \$20,000 and they only spend \$1,000 we can rescind that PO internally and pull that money back into another line and use it for other things. Mr. Watkins stated that at next month's meeting you will see other lines jump up but it will be in the form of encumbrances not necessarily actual spending.
- Mr. Watkins stated that we are now getting into the black on the surplus side for water. Last month we were about negative \$800,000 on the sewer side for surplus so we cut that in half at this point so we are definitely on the right trend there.

*Commissioner O'Brien made a motion to accept the Business Manager's report. Commissioner Creelman seconded.*

*Vote: Creelman yes, Jones yes, Suozzo yes, O'Brien yes, Emmons, yes*

**4. New Business**

Mr. Amaral gave an update to the Commission:

- The Sewer Admin position has been filled and will start November 13<sup>th</sup>.
- Next month I will present a capital program of vehicles and large equipment. We have an emergency truck purchase we would like to ask your approval of. The truck was down over the early part of the

summer and the water department is using a highway vehicle to get by. We are going about this backwards. We are going before City Council because they didn't want to wait and they are going to pre-approve the truck and we will come back to you for final vote. Usually I go to you first but I wanted to present the capital program first because I promised you that, plus the memo asking for \$142,000 out of retained earnings for the emergency purchase of the truck.

- Next month we will discuss the OPM position to help manage future projects. I presented a draft RFQ for the staff. I want to bring to you a final RFQ so you know what we are asking for. This will need to be budgeted for next fiscal year but I am going to ask for money out of retained earnings to get an OPM on board and then fund the OPM for the upcoming years on the annual budget. We should be funding the OPM out of the budget line for the project that he is working on. This will be a consultant. Not a permanent employee. Mr. Watkins said this owner's rep will help spearhead any extraneous requests via change orders as well as oversight on the project, keeping them on track, on budget and on schedule. If they have a contract with the city they are not eligible to bid on it.

## **5. Old Business**

None.

## **6. Confirm Next Meeting:** December 6, 2023 at 4:00 pm

## **7. Warrant**

Commissioner Creelman asked what does Dukes Root Control do. Mr. Amaral said they treat the roots in the sewer lines.

*Commissioner Creelman made a motion to approve the warrants as presented. Commissioner Suozzo seconded. Vote: Creelman yes, Jones yes, Suozzo yes, O'Brien yes, Emmons, yes*

## **8. Contract Signing**

Jon-Eric White presented the Lower Artichoke Reservoir Dam Spillway Protection Project.

- Commissioner Jones asked if the contract was written by the Vendor. Mr. Watkins said this contract was pre-approved by the City's former law firm and the actual contract itself is included in the bid documents. He continued to say we did publicly bid this project out for a few weeks. We had a pre-bid with a number of contractors that showed up to the site visit. We thought we had some good interest. Two bids that came in, one from T Ford Company who was the low bidder and another vendor that was higher. We are looking to award the contract to T Ford at the price of \$188,445. Jon-Eric can speak to them but he has worked with them in the past. I called their references and they specialize in this type of dam work.
- The use of gravel and stones for the project was discussed and the need for extra stockpiles. The remaining budget and future needs were decided to be monitored and the possibility of needing additional resources was left open. The project's scope included the removal of trees that were in the way of building the dam, and the potential use of the access road for future projects. The issue of flooding was discussed due to rising water levels and potential events like hurricanes. The use of sandbags is a temporary measure. Raising the dam is a more permanent solution. The Tighe & Bond report was a crucial guide for future actions. Mr. White made copies of the report for the three commissioners who did not have one. Commissioner Suozzo asked what would happen if the Merrimac River got into the Lower Artichoke. Could we draw off of Indian Hill and Upper Artichoke until that water is flushed back out to the Merrimac? Mr. White said that is a great question and that is what the

Indian Hill project is for because the intake is right next to the spillway. If we have to shut down the Lower Artichoke, all three water supplies are out of commission. The Indian Hill project can't be done fast because of the permitting process and construction and are a minimum of three years out. The group agreed that it would be more expensive to fix the problem later than to invest more money now. Commissioner Suozzo asked if we already had the Indian Hill pipeline in place would we still want to widen the precipice? Mr. White said with the dam that we have now, yes.

- Mr. White said he would like to submit the project's conceptual design to the Commission within the coming months.

*Commissioner O'Brien made a motion to approve the T-Ford Company Contract. Commissioner Emmons seconded.*

*Vote: Creelman yes, Jones yes, Suozzo yes, O'Brien yes, Emmons, yes*

#### On-Call Engineering Services – Tighe & Bond

- Mr. Watkins stated we are looking to have our engineering firms we utilize frequently to sign master service agreements (on-call agreements) that would cover us for future task orders for them. We had one with Tighe & Bond at one point but it expired a few months back. I'm looking to reinstate that and I sent the draft contract to Tighe & Bond. I just received it back today with some minor edits. I am waiting for their hourly rate table to be inserted into the MSA. I'm not sure if you are comfortable to vote to approve signing the master service agreement once we get the rate table back and it is finalized. Commissioner Jones asked if it can be put on next month's agenda. Mr. Watkins stated we need the approval because the next item is a task order for the Lower Artichoke Reservoir Dam Amendment-- Bidding and Construction Phase Services.

*Commissioner O'Brien made a motion to approve the use of the Master Service Agreement with Tighe & Bond as well as signing the Master Service Agreement once it is finalized. Commissioner Emmons seconded.*

*Vote: Creelman yes, Jones yes, Suozzo yes, O'Brien yes, Emmons, yes*

Task Order: Lower Artichoke Reservoir Dam Spillway Protection Amendment – Bidding & Construction Phase Services (\$29,500.00)

- Mr. White recommended keeping Tighe & Bond on the project under the construction phase oversight due to its proximity to a dam. Mr. Amaral stressed the importance of having an expert oversee the construction since they designed it and we don't have experience building such a structure.

*Commissioner O'Brien made a motion to approve the Task Order for Lower Artichoke Reservoir Dam Spillway Protection Amendment. Commissioner Emmons seconded.*

*Vote: Creelman yes, Jones yes, Suozzo yes, O'Brien yes, Emmons, yes*

## 9. Adjournment

Adjourned 4:53 pm.

*Commissioner O'Brien made a motion to adjourn the meeting. Commissioner Emmons seconded.*

Respectfully Submitted By: Karen Bush

