

Harwich Water Department  
BOARD OF WATER COMMISSIONERS  
Meeting on December 16th, 2014

Present: Chairman Allin Thompson, Vice Chair Danette Gonsalves, Clerk Donald Bates, Town Administrator Chris Clark, Comptroller Sandra Cummings, Interim Secretary, and Sr. Billing Administrator Wellesley Marsh, Selectman Larry Ballantine

Chairman Thompson called the meeting to order at 8:27 a.m.

Chairman Thompson entertained a motion to adopt the Minutes from December 2<sup>nd</sup> 2014. Vice Chair Gonsalves moved to approve the Minutes with a second from Clerk Bates; 3-0-0

The Board reviewed an abatement request that was submitted by the property owner of 217 Division Street. The Board voted to deny the abatement request with a motion by Vice Chair Gonsalves and a second by Clerk Bates; 3-0-0

Since it might still be a legal issue, the National Grid delinquent billing charges for services rendered will be reviewed by the Town Administrator and he will provide a recommendation for moving forward.

Vice Chair Gonsalves read a prepared statement for the pending Charter change voicing her opposition for the abolishment of the Board of Water Commissioners. Vice Chair Gonsalves stated that the Board of Water Commissioners was established by a vote by the citizens of Harwich and that it should return to Town meeting to be discussed if there is thought of it being abolished. If the board of Water Commissioners is abolished Vice Chair Gonsalves feels that the Board of Selectmen have enough on their plates than to have to take over the duties of the Board of Water Commissioners as well as exercise the duties of a Wastewater Commission. She feels that too much money and power in the hands of few is bypassing the democratic process and that the primary purpose of the abolishment of the Water Commission is to shift the control of the incoming revenue to the Board of Selectmen in order to boost the General Fund. This shift would once again jeopardize the infrastructure of the Water Department as was done for many years prior to when the Enterprise Fund was created. Water needs direct oversight and an experienced Board. The current Board is experienced and shows that through growth in many areas including infrastructure, maintenance and fiscal responsibility. Vice Chair Gonsalves believes that it is necessary for both water and wastewater to have their own individual enterprise funds as well as Boards. She suggests that it is in the best interest of the rate payers that the Board of Water Commissioners remain in place and that Wastewater establish a sewer commission appointed by the Board of Selectmen. (Please see attached statement.) Upon discussion, Chairman Thompson stated that although he appreciated the concerns voiced from the statement, he also understands the need and future direction for the joining of Water and Wastewater. He added that he also has concerns relating to funding and improvements for the aging water infrastructure if tied to wastewater. Clerk Bates asked if there is any logic to disbanding the Board at this juncture. Town Administrator Clark explained that there needs to be a sewer commission and infrastructure in place to move forward. He further noted that if a sewer commission is not in place, everything would defer to the Board of Selectmen. In order to make the transition from Water to Water and Wastewater, the current Board would need to be dissolved. He noted that if a five member Wastewater Advisory Committee was formed, the current Board could possibly transition over it. It is not yet known if the committee would be voluntary or elected. The Charter changes would need to go to Town Meeting and then to the State Legislator if approved by the Town. Selectman Ballantine suggested that the current Board establish the requirements for the new committee in order to address the concerns raised before the proposed changes. Clerk Bates noted that there needs to be more thought before dissolving a Board that has been in place for over seventy-nine years. Vice Chair Gonsalves made a motion to oppose the abolition of the Board of Water

Commissioners and the assumption of its powers to the Board of Selectmen. Clerk Bates seconded the motion. 2-0-1. Upon the request of Town Administrator Clark, the Board agreed to keep the topic on the agenda for further discussion.

Billing Administrator Marsh asked that the Service Tight Protection Plan discussion for delinquent accounts be postponed until more information is gathered for a possible rule change. Comptroller Cummings added that there are also other items that will need to be updated in the Rules and Regulations. Vice Chair Gonsalves asked if a workshop could be held to address any changes as well as the creation of an employee handbook. Comptroller Cummings recommended that a workshop take place in the coming year to review changes as well as the Rates and Fees.

After reviewing the FY16 budget, Comptroller Cummings made several adjustments to salaries and line items. The projected rate increase for FY16 could be offset if the Rates and Fees schedule is changed. Town Administrator Clark will continue to work on the budget with Cummings until its completion. Cummings noted that the Department has made vast improvements to the water system over the past few years, and that neighboring towns may not have the same budget considerations. She will review the rate report released by Tighe and Bond.

Town Administrator Clark informed the Board that interviews were held on December 4<sup>th</sup> for the position of Director of Water and Wastewater. Out of the seven candidates, five were interviewed, and two were selected for second interviews on December 12<sup>th</sup>. After the interview process, the choice was unanimous in favor of the first candidate. The experience and skills of the second candidate were not as strong as the first candidate. Clark also mentioned the possibility of a potential change for the internal hierarchy within the department to ensure checks and balances and the prevention of abuse by management. Chairman Thompson presented the Board with the option of either having a formal interview with the chosen candidate or making an offer. They agreed to have a formal interview in a special meeting to be held on December 22<sup>nd</sup> at 5pm.

Town Administrator Clark proclaimed that having an area in a managerial office that affords sleep is an inappropriate choice of furnishings for a manager to have. Vice Chair Gonsalves moved to gift a coffee table, sofa and chairs. Clerk Bates seconded 3-0-0.

Comptroller Cummings informed the Board that a breaker box was not included in the bid for the new treatment plant. The cost to have it installed would be \$6,000 or we could obtain the part for \$1900 and have it installed by Scott Currie, the electrician for the Department. Chairman Thompson made a motion to obtain the box for \$1900 and to have it installed by Mr. Currie. Vice Chair Gonsalves seconded 3-0-0.

Chair Thompson informed the Board that the new treatment plant construction project is running on time and is expected to be completed on January 3<sup>rd</sup>, 2015.

Comptroller Cummings received a letter dated December 3<sup>rd</sup>, 2014 from NSTAR with regards to a bill amounting to over \$27,000 for an *unmetered condition* between 9-6-2012 and 6-12-2013. She will verify the information stated by NSTAR and consult with management.


Comptroller Cummings informed the Board that several Department employees have an interest in obtaining further training for additional licensing. The request will be reviewed by the Foreman and management before a decision is made. The Union may also need to be consulted.

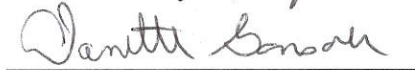
With regards to the open Distribution Laborer position, Comptroller Cummings mentioned the possibility of establishing a relationship with the Cape Cod Regional Technical High School for future employment positions. This idea will also be explored for summer employment.

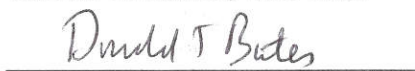
The Board will meet again for a special meeting on Monday, December 29, 2014 and again at their regular Board meeting on Tuesday, December 30, 2014.


Chairman Thompson motioned to adjourn at 10:04 a.m. with a second from Vice Chair Gonsalves; 3-0-0

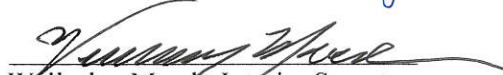
Respectfully submitted,

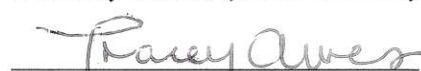
  
Allin P. Thompson, Chairman

  
Danette Gonsalves, Vice Chair

  
Donald T. Bates, Clerk

  
Sandra Cummings, Comptroller

  
Wellesley Marsh, Interim Secretary

  
Tracey Alves, Board Secretary

12/16/14

This is in regards to a proposed Act amending the Charter of the TOH which states for the purposes of establishing a water and wastewater commission. I believe that we need to discuss this as a board, because it is in the best interest of the rate payers.

My Father, Richard Hathaway and I have 40 years combined service as elected water commissioners to the Town of Harwich. I have also served on the WQTF under Frank Sampson since its inception in 2001, as well as the WISC which formulated multiple cost recovery scenarios for the wastewater system. I am currently on the WIC which was responsible for the creation of the CWMP.

For the practice and spirit of democracy, I am voicing my opposition to the abolishment of the BOWC as laid out by Attorney Giorgio in an act to amend the charter of the TOH.

1 The BOWC was established by our founding fathers and Vote of the Citizens of Harwich at Town Meeting in 1935. Our sole mission is to serve and protect the water system and the rate payers. If we don't have water, we don't have a community.

2 Because BOWC was created by a vote of the people of Harwich then it should return to Town Meeting to discuss its status rather than have the process of abolishment to be unclear or hidden in the last line of the last page of an Act to establish a wastewater committee.

3 Furthermore, the BOS have enough on their plate than to take over the duties of this board as well as exercising the duties of a wastewater commission. Too much money and power in the hands of a few is bypassing the democratic process.

4 I believe the primary purpose of this move is to shift the control of incoming revenue to the BOS in order to boost the General Fund. This will once again jeopardize the infrastructure of this department as was done for so many years prior to the establishment of the enterprise fund.

5 Water is town wide and needs the direct oversight of an experienced board. The current board is experienced and currently shows that with infrastructure growth, maintenance, and fiscal responsibility. Changing that could cause the system to deteriorate.

6 A new inexperienced group with added responsibilities loses the vision set for the Harwich Water Dept of growth and fiscal responsibility and service to the Town is a major concern.

7 A Sewer system in Harwich will be limited for some time and will need direct oversight. There will be a learning curve on this as it grows. I believe, as suggested by Attorney Giorgio, that there will be a water department with its own enterprise fund and a separate wastewater enterprise fund. Because it is necessary that both water and wastewater have their own enterprise fund then they too should have their own separate board. I am suggesting that the BOWC remain in place and that Wastewater establish a sewer commission appointed by the BOS.

8 Once again, I am opposed to the abolishment of the BOWC and the selectmen taking over this responsibility, and do not believe it is in the best interest of the rate payers of the Town of Harwich.