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**CITY OF BROCKTON
WATER COMMISSION
Minutes
June 24, 2010**

Present: Bruce Malcolm, Chairman/Commissioner
Peggy McGrath, Commissioner
Patrick Quinn, Commissioner
Ossie Jordan, Commissioner
Jody Hickey, Commissioner
Larry Rowley, Superintendent of Utilities
Michael L. Thoreson, DPW Commissioner
Brian Creedon, Water Systems Manager
Alisa Hambly, Secretary

Attending: Adriano Lopes
Ilidio Silva, Interpreter
Rene Brown, City of Brockton
Jeff Hanson
Ghazi Saab

Mr. Malcolm called the meeting to order at 9:02 A.M., noting that a quorum is present and the meeting is being recorded. Mr. Malcolm welcomed Jody Hickey to the Commission.

Mr. Malcolm requested a motion to waive the minutes of May 20, 2010.

Mr. Quinn moved to waive the reading of the May 20, 2010 minutes, This motion was seconded by Ms McGrath, and so voted unanimously by the Commission.

Ms Hickey made a motion to accept the May 20, 2010 minutes subject to any clerical corrections. This motion was seconded by Ms McGrath, and so voted unanimously by the Commission.

Mr. Malcolm called for a report from the **DPW Commissioner**. **Mr. Thoreson reported** that there was a Water/Wastewater forum held last night which was attended by Staff.

Mr. Malcolm called for a report from the **Water Systems Manager**. **Mr. Creedon reported** that a break in a culvert on Fuller Street caused flow to increase. The running average is 10.126 MGD, Silver Lake's running average is 9.158; Brockton Reservoir's running average is 0.629, and Aquaria's running average is 0.338. Most of the time breaks are caused by a pressure differential.

Mr. Creedon reported that Mr. Rowley's monthly report was included in the meeting information.

Mr. Rowley reported that a new water main is being installed on Litchfield Terrace - replacing 1 ¼" pipe with 8"; work will be beginning on Clifton Avenue and Tina Avenue; the work on West Elm Street will have to go out to a contract. Staffing is down one position as it only funded for 6 months. The Commission questioned and requested clarification of various aspects of the May report.

Mr. Malcolm opened the meeting for **New Business and Water Connections and the application for 1260 Main Street**. Mr. Creedon noted that Mr. Saab was notified and is not in attendance; however the property is on temporary water pending the issuance of a complete permit.

The Commission discussed workorders and how to obtain readings. Mr. Rowley stated that the meters are not breaking down, it is how the meters are read – batteries are dying, people do not have telephone landlines...the Water Division had been trying to do a meter change out for 3 years. Mr. Quinn questioned if the meters that are currently being installed be able to integrated into the new system. Mr. Rowley stated that we have been told that some retrofitting may be necessary. Mr. Rowley noted when the last change out occurred we could not gain access to the properties, which is why there are multiple reading systems and meters; there will be something in place to gain access so there is one system and one meter. Mr. Jordan questioned scheduling of the change out. Mr. Thoreson stated that the change out will be contracted out and the bid documents will state that the proposed company work on weekends and nights to work around customers schedules. Mr.

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Rowley stated that he will have a team available to repair fittings if necessary. Mr. Malcolm questioned the use of the tags. Mr. Rowley stated that the tags are used whenever a reading cannot be obtained. Mr. Quinn stated that he feels that the change out began 3 years ago, when radio read meters first started to be installed as we are finding a way to obtain actual reading versus estimated.

Mr. Thoreson clarified that the 9:15 Water Connection hearing for 1260 Main Street did not attend the meeting and the 9:30 bill dispute for 60 Bonney Street has been postponed as he was on the radio at 9:00.

Mr. Malcolm moved the discussion to a **bill dispute for 609 Warren Avenue**. Mr. Silva explained that Mr. Lopes' house was damaged in a fire and subsequently received a bill for \$32,000., Mr. Lopes does not read and write and didn't understand that his bills were estimated; explained personal history, and stated that he cannot pay due to the City's error, believes the bill is incorrect. Mr. Malcolm explained that the meter was tested and the \$32,000 bill was given a block rate adjustment to ensure fair bill. Ms Hambly stated that new bill is \$12,413.25. Mr. Silva stated that the property is a 3 family house and only the first floor is occupied; has compared other houses and believes the bill is incorrect by \$3,400. Ms Brown stated that the average usage on a 3 family is 9,000 cubic feet per quarter; the calculated average usage for 609 Warren Avenue is 8,500. Mr. Malcolm stated that the Commission cannot get involved with people's financial problems and everyone is treated equally, the amount owed is fair. Mr. Creedon stated the Water Department does not get involved in collection of monies; Mr. Lopes can contact the Treasurer to work out a payment plan possibly removing the interest. Mr. Quinn stated that he would be willing to make a motion that the Water Commission send a letter to the proper department that the new totals are agreed upon and that the interest be removed. Mr. Thoreson stated the Tax Office does not set up payment plans. Mr. Malcolm suggested that Mr. Silva draft a payment plan and present it to the Commission for review and submittal to the Tax Office. Mr. Silva stated he would review Mr. Lopes expenses and figure out what he can afford. Mr. Malcolm again stated that water usage is not forgiven and the bill is the bill regardless of personal expenses. Ms McGrath stated that the City has charged the lowest block rate, which is the best that can be done. Mr. Silva stated that it was unfair business to bill this amount. Mr. Quinn questioned what amount Mr. Silva wanted the bill to be. Mr. Silva stated after comparing bills he stated that a fair settlement would be \$9,500. Mr. Quinn stated he feels the abatement is appropriate and is willing to promote and accept a payment plan as a Water Commissioner. Mr. Jordan questioned how Mr. Silva arrived at the \$9,500. versus the \$12,413.25. Mr. Silva stated he calculate based on others usage.

Mr. Quinn moved that a letter be sent to the Tax Collector requesting that they enter into an agreement for a payment plan without interest. No second...discussion

Mr. Quinn moved that a letter be sent to the Tax Collector recommending a payment plan be reached with Mr. Lopes. Ms Hickey seconded the motion.

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Mr. Jordan suggested finding out what the Commission's powers are in making recommendations, referring, etc.

Mr. Quinn reiterated that his motion that a letter be sent to the Tax Collector recommending that a payment plan be reached with Mr. Lopes. Ms Hickey seconded the motion, and so voted...motion does not carry.

Mr. Jordan moved that the Solicitor's Office be contacted to answer the question on what powers the Commission has in the areas that have been dealt with today. Ms McGrath seconded this motion, and so voted, unanimously by the Commission.

Mr. Jordan suggested that Mr. Lopes dispute be tabled until a decision is made by the Solicitors office relative to the Commission's powers.

Mr. Quinn referred and read to the Ordinance Section 23-30 Water Commission subsection f #7; the Commission has already ruled and given Mr. Lopes an abatement; the Commission has done all it can. Mr. Lopes questioned if payments were considered in the adjustment. Ms Hambly stated that what was charged, billed and paid has been taken off of the total amount. Mr. Silva requested a summary of the abatement and payments that were made over the past 10 years. Ms Hambly stated that any information regarding payments must be from the Tax Office and the abatement summary was already provided.

Ms McGrath moved to close the hearing. This motion was seconded by Mr. Quinn and so voted unanimously by the Commission.

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Mr. Malcolm moved the meeting for discussion with **Jeff Hanson from Aquaria**. Mr. Hanson gave an update of the status of the stress test of the system, stating that the piping was flushed, the transmission line is clean and are satisfied that there will not be any issues with water quality; got the pumping rate up to 2.3 MGD with a target rate of 2.5 MGD. Relative to sales there are a number of towns that would like to speak with Aquaria for emergency, interim and interruptable connections, which have not been offered to date, trying to calculate a formula to sell water on that basis that would be acceptable for both the City and the bank. Ms McGrath questioned what an interruptable connection is? Mr. Hanson stated that this is if someone wanted water and it was available at the plant it would be shipped to them, however if something came up they can stop the shipment of water. Mr. Hanson stated that he will ensure that Alfredo will be attending the next meeting. Mr. Rowley stated that we were planning on stressing the desal system in July, but are now concerned about the turbidity as it was high when the lines were flushed, which resulted in the City not receiving water for two days, we are not going supply cloudy water. Planning on trying to stress the system beginning on July 12th or 13th; currently receiving approximately 550 GPM and when the lines were flushed 1600 GPM was being dumped, not going into the Brockton system. Mr. Hanson noted that the valve to Brockton is turned off when flushing and does not go through the meter, therefore Brockton is not charged for this water. Mr. Hanson noted that the turbidity is within acceptable limits cannot go over .5, however if it is anything over .1 Mr. Rowley does not want it and we do not want to deliver it; if there is going to be a problem the flow is stopped so that the water does not go into the Brockton system. Mr. Quinn stated that he would like to have Alfredo bring evidence that they are trying to sell water, i.e. packets of information, call logs, letter, etc. Mr. Creedon noted that previously we received bi-monthly reports on the progress of the construction of the plant; it may be a good idea to receive a report on sales. Mr. Rowley stated that we receive daily flow reports from Aquaria.

Mr. Malcolm called for discussion of the **Water Connection application for 1260 Main Street**. Mr. Malcolm noted that the amount being requested is not listed. Mr. Creedon stated that the temporary permit was issued for 400 GPD.

Ms McGrath moved that the application for 1260 Main Street be approved. This motion was seconded by Mr. Jordan and so voted unanimously by the Commission.

Mr. Malcolm moved to **Old Business**, which was previously discussed.

Mr. Malcolm moved to **Other Business** and stated that the City Council has requested that we review the higher block rates and the possibility of increasing those rates. Mr. Quinn requested a list of the 100 top users in the City. Mr. Creedon stated that we have not received anything in writing from the City Council requesting this information. The Commission discussed establishing a subcommittee to discuss this issue and requested that the information be provided 2 weeks prior to the next meeting.

Mr. Malcolm questioned if there was anyone interested in serving on the subcommittee...Mr. Malcolm and Mr. Jordan both agreed to serve on the subcommittee.

Mr. Jordan suggested that future Water Commission meetings have a time limit. Mr. Rowley stated that there may be additional billing issues that are going to require more time at meetings. The Commission discussed meeting with customers and who has the authority to adjust the bills, and the ability to appeal bills beyond what was already adjusted by staff. Ms Hickey does not believe that the Commission should meet with everyone that is unhappy with their bill...Ms McGrath agreed. Mr. Quinn stated that we have a responsibility to the citizens and they have a right to come before the Water Commission. Ms Hambly stated that the City is taking the responsibility of putting notes in the bills, door hangers, etc. and are offering to do our part of the job and are adjusting the bills if warranted, however the citizen has a responsibility also to take action on estimated bills.

Ms McGrath moved to adjourn. This motion was seconded by Mr. Quinn, meeting adjourned at 11:58 AM.

Respectfully submitted:

Alisa Hambly
Secretary
Water Commission

Certified by:

Brian M. Creedon
Water Systems Manager
Clerk of the Commission