

9/6/11

**CITY OF BROCKTON  
WATER COMMISSION  
Minutes  
September 6, 2011**

**Present:** Bruce Malcolm, Chairman/Commissioner  
Peggy McGrath, Commissioner  
Ossie Jordan, Commissioner  
Brian Creedon, Water Systems Manager  
Larry Rowley, Superintendent of Utilities  
Michael L. Thoreson, DPW Commissioner

**Absent:** Patrick Quinn, Commissioner

**Mr. Malcolm called the meeting to order at 9:12 A.M., noting that a quorum is present.**

Mr. Jordan moved to positively recommend the look back procedure.

Mr. Malcolm stated that he has concerns and is not in agreement as the Commission was not consulted on this procedure and are now being asked to give free water to those who have not listened. Mr. Jordan stated that he agrees, the commission was not consulted on this policy or on the audit, the boundaries of the department versus the commission are not being recognized.

Ms Hambly noted that the commission voted on an abatement policy that was presented in August of 2010.

Mr. Jordan stated that three years versus two years is an issue and that there is no recognition on who does what and how, agrees with the Chair that there are too many people that paid bill and he cannot agree to forgiving all but two years. Mr. Creedon stated that the recommendation to the Council was for three years and they changed it to two years; Mr. Thoreson noted that the original recommendation was for five years the Council then changed it to three down to two years. This recommendation is the result of the audit, which did not recommend any time period.

Ms Hambly noted that the policy does not have anything to do with payments already received, it is only a policy on how far back to bill for usage that was not billed; also noted that there was not anything in place that would have allowed the City access to properties that were estimated.

Mr. Creedon noted that the Commission can vote however they want and can make whatever recommendations they want as the Ordinance states that the Commission must approve any policy. Mr. Thoreson noted that the Commission can endorse or recommend with stipulations.

Mr. Malcolm called the vote of those in favor of recommending the look back policy, none in favor, all opposed. Motion denied.

Mr. Creedon questioned if the Commission wanted communication sent relative to the vote, Mr. Thorson recommended that a letter be sent explaining the vote.

The Commission decided that the next meeting would be on September 22, 2011.

Mr. Creedon provided the flows for both this September and for last September.

Mr. Jordan noted that Mr. Brophy has talked a lot about having Aquaria attend a Council meeting relative to water sales, the problem is the City Council is intending to speak with Aquaria without knowing that the Commission has already spoken to them on this issue, they are again not consulting with the Commission on issues. Mr. Malcolm stated that the article in the paper seemed negative that we were paying for water but not receiving any with no mention that there is a budgetary issue. Mr. Thoreson suggested that a letter be sent to the City Council requesting that a member of the Commission be invited when Aquaria is invited. Mr. Jordan noted that there is an issue in

9/6/11

dealing with just Aquaria and not the Commission. Mr. Thoreson noted that there is a legal issue if we want to renegotiate and that a lawyer would have to be obtained.

Mr. Creedon noted that he is going to be meeting with a consultant today at 1:30 relative to Holbrook receiving water.

**Ms McGrath moved to adjourn. Meeting adjourned at 9:43 A.M.**

**Respectfully submitted:**

Alisa Hambly,  
Secretary Water Division

**Certified by:**

Brian M. Creedon  
Water Systems Manager  
Clerk of the Commission