



Chairman Domey called a meeting of the Prudential Committee to order at 7:02 p.m. The Pledge of Allegiance was recited.

IN ATTENDANCE:

Raymond Domey, Chairman	John Mowduk, Finance Committee
Donald Reim, Vice Chairman	Ralph Fredette, Finance Committee
William Jalbert, Clerk	John Morrison, Morrison Construction
John Chmura, District Treasurer	Lt. Mike Matthieu, TRFD
John Sasur, Water Superintendent	Patti Matthieu
Scott Majka, Assistant Water Superintendent	Dan Daigle
Scott Turner, Fire Chief	Pat Austin
Patrick O'Connor, District Clerk	Roger Duguay
Diane Baldyga, District Secretary	

Approval of Minutes

The Committee reviewed the minutes from the meeting of October 8, 2014.

MOTION (REIM, JALBERT): To accept the minutes from the meeting of October 8, 2014. Approved 3-0.

Public Comment

Prior to opening the floor for public comment, Chairman Domey read excerpts from M.G.L. Chapter 30A regarding the regulations pertaining to the open meeting law. With a police officer's presence at the meeting, he cautioned that any one who was disruptive would be removed from the meeting. He set a limit of 10 minutes for public comment.

John Morrison of Morrison Construction addressed the Board concerning the money that is owed to him for work performed on Chudy Street. He was distressed because at last month's meeting, two board members (Vice Chairman Reim and Clerk Jalbert) had agreed to meet with him, his attorney, the Water Superintendent, and District Counsel Michael Hassett to discuss ways to resolve the issue of the District's stance not to pay him for work he had completed. The meeting did not take place. Hassett said he was busy one week and failed to return his attorney's phone calls to make arrangements to meet with them. Morrison again asked to have a meeting scheduled in an effort to work out this impasse. Domey stated that Hassett will not change his opinion because W.S. Sasur broke the law by not putting the work out to bid. The Water Superintendent denied breaking the law claiming that the job was not a "bid job" as he could not come up with quantities and did not know what was up there. However, Domey firmly held the position that the Committee had to follow the law, i.e., M.G.L. Chapter 30B. Morrison said that four other attorneys, two from the Attorney General's office felt that the District was wrong. He said if he must take the District to court, then he will seek monetary damages and legal fees, as well as payment for the work done. He also took issue with a letter Hassett wrote to his attorney unjustly accusing him of being a "hooligan," other people at the meeting of being "miscreants," and that the police officer could not handle the crowd and had to leave. Morrison questioned the competence of Hassett and said that the District's legal fees were excessive. He wanted to know if bids were solicited for District Counsel as the fees were in excess of \$35,000. Domey said that it had not been necessary to get quotes for him.

Clerk Jalbert said that Morrison's recourse would be arbitration by a mediator if he wanted to pay for it. Morrison asked why the District's Procurement Officer had not put the job out to bid. The Committee members claim that none of them was aware of the extent of the job on Chudy Street because the Water Superintendent had not told them.

Anderson Street Project Update.

Project Manager, Al Nardi, is waiting for paper work to be concluded.

Report of the Treasurer

- **November Shut-Offs.** According to the Water Superintendent, 21 accounts were initially in arrears in October. Based upon the District's policy, certified letters were sent out and notices posted a month later. On November 6, one shut off occurred for a period of four hours before payments were negotiated with Billing Clerk, Toni MacKenzie. Reim and Domey both said that water

could not be shut off after November 15. The Water Superintendent commented that the policy for overdue accounts is a good one, but it could be reviewed at any time. Clerk Jalbert said that further action will not be pursued during the winter months. Treasurer Chmura reassured the Committee that the number of overdue accounts had been substantially reduced.

- Procedure for Submitting Invoices. Domey revisited the need for being specific in noting information on invoices for complete inventory control. Records must indicate what items are being used for. He said that this will make researching invoices easier.
- Accountant/Bookkeeper and Firemen's December Checks. Due to the Thanksgiving Holiday, Domey advised Fire Chief Turner to submit December's payroll for the firemen by November 17 if paychecks are to be distributed during the first week of December.
- Audit of Fiscal Year Ending June 30, 2014. Treasurer Chmura was given a letter by Chairman Domey that was a copy of one given to him by Stephen Chiacchia about last year's audit. Chmura has not heard from the new auditors but will talk with Stephen Chiacchia.
- GPS System. Chairman Domey said that Teletrac from Florida has been paid, and that he had received a letter from the company. He expects to get the system in about a week.
- Employee Handbook. An upgraded Employee Handbook was distributed to employees. An insurance policy requires signed receipts acknowledging receiving the handbook. Chmura will place the receipts in employee files.
- Summary of the Conflict of Interest Law for Municipal Employees. This summary is given to District employees every two years. Employees were asked for signed receipts. W.S. Sasur said he completes the online test on a regular basis.
- Financial Statements. Treasurer Chmura submitted October's Profit & Loss Statement to the Committee. He provided detailed expenses for each account. Copies of the Fire Department and Water Departments Expenses were given to Turner and Sasur, respectively. His analysis noted that the Fire Department was within the budget of \$130,000, which was received by the Town. Its expenses are about \$115,000. Domey mentioned that in speaking with Stephen Chiacchia, they felt that this year the District should again start accumulating money in its accounts. Chmura said that the Water Department was showing revenue of \$27,000 based on the last four-month period. He concluded that the District was in "pretty good shape." He noted that taxes are going up by two cents. Domey said he feels that the District's taxes should be going down considerably due to the completion of projects.

Chmura feels that the District's accountant is confused about what the active projects are for the year. To clarify the situation, he put together an analysis of projects for last year and activities for this year. It will be necessary to go through the projects to define which are still active and which amounts are being transferred from last year's budget to this year's budget. Some projects were listed more than once. Copies were given to Sasur and Turner. They will update the accounts' analysis and return it to Chmura.

MOTION (REIM, JALBERT): To accept and approve the Treasurer's Warrant. Approved 3-0.

MOTION (JALBERT, REIM): To accept and approve the Treasurer's Report. Approved 3-0.

Report of the Fire Chief

Fire Chief Turner presented a written report to the Committee itemizing the activities of his Department:

- Call Report. The month of October 2014 received a total of twelve (12) calls.
- Fire Department Security System. Domey is still checking on options for the security system at the TRFD. Somebody is needed who will do both the security and access control system.
- Update on Restoration of 1933 MAC Fire Truck. Dan Daigle reported that the truck had been stripped and will be picked up at 8 a.m. on Friday, November 14, and taken to the Vocational School at the Concord (MA) Jail for painting. The painting should take about a month. No word has been received from the Registry about the vanity plates, but Todd Smola was sent a copy of the email to the Registry.
- Disposal of Fire Rescue Truck and blue Pick-Up Truck. The Fire Chief said that the Internet site to sell municipal property was only for state-owned property. As a result, the options are to put the vehicles out to bid or auction. Because the rescue truck is worth more than \$5,000, Domey said that it must be put out to bid to follow the guidelines set forth in Chapter 30B. Both Domey and Turner thought it would be worthwhile to have someone appraise the value of the truck before putting it out to bid. Since the blue pick-up truck is valued at less than \$5,000, the District's Policy for Surplus, Salvage, and Scrap Procedures can be used to dispose of it.
- Ambulance Service Update. The Department's proposed Ambulance Service ran into a major obstacle. An ambulance will not fit into the Fire Station. Although 90% of the research has been done, the service must now be put on hold until a solution is found to accommodate the ambulance.
- Communication Issues. The communication company tested the output wattage on the repeater for the portables and found it at only 12 watts, much lower than it should be. This is one source triggering communication issues in town. The technician had

suggested changes in equipment, cables, and boosters. Other suggestions included asking the FCC to increase the power, moving the system from Pathfinder to the Fire Station where the elevation is higher, or using the new tower at the Palmer Police Station.

- ALICE Training at Pathfinder Vocational. ALICE (Alert, Lockdown, Inform, Counter, Evacuate) training prepares educators and others to handle the threat of a dangerous intruder. The Fire Chief said that Pathfinder and the Palmer Police are way ahead of other schools in this training. He has attended an overview and found it very well put together. Turner has access to the Pathfinder's cameras on his laptop.
- Fire Prevention Week Programs in October. Programs took place during Fire Prevention Week in October at the Learning Factory, at Head Start, and at the Fire Station. Stickers and hats were given to the children and safety procedures were discussed.

MOTION (REIM, JALBERT): To accept the report of the Fire Chief. Approved 3-0.

Report of the Water Superintendent

W.S. Sasur discussed the following items:

- Sodium Hydroxide Bulk Delivery. Sodium Hydroxide is used to increase the pH of the District's water. Purchasing it in bulk has dropped the price from 45 cents a pound to 24 cents a pound. Approximately 200-300 gallons a month are used. Since the District's water is very corrosive and a little high in copper, treatment is monitored closely and adjustments made as needed. The State Inspector is scheduled to come in to inspect the installation of the tank that stores the sodium hydroxide.
- DCR Grant for Forest Management. The Massachusetts Department of Conservation and Recreation (DCR) approved a grant for a forest management plan in the amount of \$1,357. The certified forester who is designing the plan for Three Rivers is the same one used by the towns of Ware, Monson, and Brimfield. The plan will comply with state standards. An additional small fee may be assessed because three different parcels are being planned. The parcels include Well #3 on the east side of Rt. 181, the land just purchased off North Street, and the Anderson Street Reservoir. The additional fees have been budgeted for and will be deducted from engineering. The plan is almost complete and may be ready for the next meeting.
- Master Meter Upgrade. Every three years an evaluation of the District's two master meters by a certified technician is required. Although the formal report has not been received, the technician indicated that the meters are older but still functional. They will need upgrading soon. The Water Superintendent will write a warrant article to purchase new master meters that will be designed by an engineer.
- Shut-Off Report. Previously discussed.
- Pump Station Sampling Station. The project is complete. Since the District's water is being treated, state requirements stipulate that an approved sampling location be a prescribed number of feet away from the pump station and treatment site allowing for mixing to take place in order to obtain an accurate post-treatment sample.

Chairman Domey was displeased with what the project turned into. The Water Superintendent said that he "was not in full control" of what took place for a number of reasons. Because of the loamy soil, it became necessary to go down three feet and replace the loam with stone. He also stated that it was a project that he had delegated and was not around to watch what was going on. To make it nice and to keep people from driving into the sampling area, a fence and three parking spots were created. He had intended to put a sign up saying it was available for nature study and for walks along the river, but Domey said he could not as it would make the District liable in case of accidents. The Water Superintendent maintained that the area is public land that now provides a safe place for people to park. Domey felt that it was a waste of \$3,000, and said that all that was needed was something to protect the sampling station. Sasur defended the costs as complying with the state's recreational program that encourages communities to open up their land to be used by the public. Domey said Sasur should have applied for a grant if that was the case. Sasur said he did not believe one was available for that job. He claimed that people enjoy that area because of its beauty and that eventually it may incorporate a trail that is being proposed by the Town of Palmer and become "a vital area for access" to the river.

- Invoices Received for Payment. Previously discussed.
- Process and Qualifications Used for Hiring Private Contractors. The Water Superintendent provided the Committee with copies of what was done originally by the Water Department in requesting contracting services. About four years ago, the request for contracting services was posted in the newspaper. The request included a detailed work description, an explanation of both scheduled and emergency repair projects, insurance requirements, the value of the contract, the contract period, and evaluation criteria. Among the criteria the Request for Proposals (RFPs) evaluated contractors on were: equipment, manpower, reliability, communications, and experience. Nine different contractors made inquiries and some were interviewed by the elected Board. Sasur felt that this was the fairest way to come up with something substantive.

Chairman Domey said he would like to run it through District 1 to make sure it was fair and that the qualifications were reasonable. W.S. Sasur agreed that the process was open to revisions.

- Protocol for Emergency Repairs. Chairman Domey gave W.S. Sasur a copy of an email from Jim Amand regarding emergency work. Domey informed the assembly that David Majka will become the new Water Superintendent for District 1 next month. Currently Majka is the only operator for the backhoe and is willing to handle any emergency that the Three Rivers' Water Department has. The Water Superintendent said that this was "very gracious" of him. Sasur recommended clarifying the definition and types of "emergencies." Domey would still like to meet with District 1 and is trying to attend a meeting.
- Update on Asset Management Program by BMSI. Although work at Sunset Acres is consuming most of the work week, the Department has compiled a list of qualified vendors and is currently getting quotes on a laptop that is compatible with the BMSI system. All the Department's files will be stored on it for the Assistant Water Superintendent.

New software will automatically input the meter readings, so manually inputting the usage will be eliminated. The Department is working with BMSI to coordinate the procedure. With the new software, quarterly billing will be implemented. When the District's meters are upgraded/replaced in another two to five years, a different retrieval method will be employed (probably a radio read). Presently, however, the functional 20-year old meters still need the old technology. Domey asked if grants were available to replace the current meters. W.S. Sasur said low-interest loans were being offered, but he knows of no grants. Scott Majka was asked to check into possible grants for infrastructure improvements. Sasur thought that meters would probably be considered maintenance rather than infrastructure, but should be investigated.

- Update on Building Committee. District Clerk O'Connor reported that although a meeting had been planned three weeks ago, the chairman and secretary had scheduling conflicts, so it was canceled. Another meeting will be arranged and bids for an engineer will be publicized.
- Review of Superintendent's Contract and Job Performance. Chairman Domey stated that Chapter 30B sets the rules and that the District must follow them. W.S. Sasur conceded this point but said that he was disappointed that the attorney failed to ask what happened, where it happened, or how it happened. Hassett gave his opinion without talking to anyone involved. There was no investigation or communication on the attorney's part. Domey countered that the Water Superintendent was guilty of not communicating because he introduced the project on September 11, 2013. The extent of excavation that was involved was never communicated to the Committee. Sasur said that it was a maintenance situation, and that he could not "estimate materials or distances or what actually had to be there. Each one (water main) was an experiment" in what had to be done, which was then compressed into a week's period of time instead of the two months he had anticipated. He did not want to hold up the contractors doing the sewer line. Domey replied that the Committee was not aware of any of this because he had not presented it to them. Sasur responded that he does not usually give specifics. He does his job as economically and practically as he can based on the conditions he has. His philosophy has always been to look out for the best interest of the District and the District's water users. He declared that he has always tried to be fair to everybody and to do the right thing. Furthermore, the contractor used for the project was one that had been hired by the previous Board. However, he did admit that the contract had expired. Since a machine and some labor was all that was hired, he does not know how this could have been bid for. He reiterated that because nothing was documented, it was not known what was needed there until the digging actually started. He said that it was not a normal situation. He guaranteed that if this had been a new pipeline being installed, it would have been put out to bid. He feels this whole situation had extenuating circumstances.

Chairman Domey asked how he came up with \$30,000 for the project. Sasur said it was an estimate based on the cost of putting in a new service line and labor for a few weeks. If the budgeted amount was not enough, he would have taken the additional expenses out of repairs because that was what was being done. The amount was actually transferred from a job that was to be done on another street to Chudy Street. Domey restated advice he had given to all the District's employees in the past—*"Check with the attorney if you have any questions."* He told Sasur that he "made a big mess of things." Domey tabled further discussion until a settlement is reached with John Morrison. If the District receives official authorization, it will pay its bills. Sasur commented that if bid law was not followed, it was a District fault, not the person who performed the work. The attorney represents the entire District, not just the Board members. Any one of them could do something wrong. The attorney should tell them what the consequences are and how to resolve the problem. Domey said there is no resolve based on case history and the law.

- Water Department Inventory. When asked about the Water Department's inventory, the Water Superintendent said that he sent it to the auditor. Chairman Domey asked if it was the one Stephen Chiacchia said was not accurate. Sasur said that he was never informed that it was not accurate. Domey said this was in the management letter since 2012, and that a precise inventory was required. Sasur claims his inventory was very specific. He had itemized for each fitting, the value of lands, replacement costs of

pipe lines, valves, components of the water system, etc. The auditor had commented that he had never seen any so in depth before. Domey said it had to be put into BMSI. All Water Department information is available to the Assistant Water Superintendent and will be copied to his laptop.

MOTION (REIM, JALBERT): To accept the report of the Water Superintendent. Approved 3-0.

Old Business

No Old Business.

New Business

- Blood Drive Request. Patricia Matthieu from the Three Rivers Firefighters Association Ladies Auxiliary asked the Committee to use the Three Rivers Fire Department meeting room to host a blood drive on December 20, 2014 for Boston Children’s Hospital’s Gift of Life.

MOTION (JALBERT, REIM): To authorize the Three Rivers Firefighters Association Ladies Auxiliary to have a blood drive on December 20. Approved 3-0.

Having no further business to conduct in open session, Chairman Domey requested a motion to adjourn. The next regular meeting is scheduled for 7 p.m. on December 10, 2014.

MOTION (REIM, JALBERT): To adjourn from the Open Meeting at 8:48 p.m. Approved 3-0.

Submitted by:

Approved as to Form and Content:

Diane Baldyga, Recording Secretary

Raymond Domey, Chairman

Date: _____

Date: _____