



Three Rivers Fire District
50 Springfield Street
Three Rivers, MA 01080

Prudential Committee Minutes

February 11, 2015

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	Scott Turner, Fire Chief
Donald Reim, Vice Chairman	Patrick O'Connor, District Clerk
William Jalbert, Clerk	Diane Baldyga, District Recording Secretary
John Chmura, District Treasurer	John Morrison, Morrison Construction
Scott Majka, Assistant Water Superintendent	Sherrie Bellefleur

Approval of Minutes

The Committee reviewed the minutes from the meeting of January 14, 2015.

MOTION (JALBERT, REIM): To accept the minutes from the meeting of January 14, 2015. Approved 3-0.

Interview of Applicant(s)

Chairman Domey informed the Committee that Sherrie Bellefleur was the only applicant responding to the District's newspaper ads to replace the current District Recording Secretary, who is retiring. Bellefleur submitted a resumé for the position. She is a member of the Fire District with secretarial experience. She is familiar with the computer software used for preparing the minutes and has worked in a similar capacity in the past. Domey briefly explained a few points about the Open Meeting Law and will provide Bellefleur with a copy. It was noted that since Clerk Jalbert is related to the applicant, he could not vote or be involved with interviewing her. Domey said that from her resume, she looks very capable of doing the job.

MOTION (DOMEY, REIM): To appoint Sherrie Bellefleur as the new District Recording Secretary. Approved 2-0-1.

Bellefleur will begin on March 11, 2015.

Public Comment

John Morrison of Morrison Construction asked if any information had been received from the Inspector General's (IG) Office concerning the issue of money that is owed to him. Chairman Domey stated that District Counsel, Michael Hassett, had advised him to write a letter to the IG's Office concerning the failure of that office to respond on a number of issues. Domey promised to write a letter on Friday (February 13) concerning the lack of communication. If he receives a response before the next meeting, Domey said he would contact Morrison.

Report of the Treasurer

- Change from Account Numbers to Account Names. Chairman Domey said that after April 15, the accountants, John Chmura, and he will investigate the possibilities of using a system that uses account names rather than account numbers beginning in the next fiscal year. Although Treasurer Chmura was not convinced that this would be wise, Domey felt that using account names would make accounting tasks easier to understand and more manageable for the Committee members, the Department Heads, and future elected members.
- Audit of Fiscal Year Ending June 30, 2014. Discussion was postponed until next month's meeting.
- Discussion on AT&T Checks. Checks received from AT&T are in the correct amount (\$2,000) for the monthly rental payment.
- Inventory of Stored Records. Stephen Chiacchia, Sara Rossman, and Chairman Domey went to the records retention facility in Connecticut to sort through and inventory the files in the 17 remaining boxes of District records in storage. All accounts receivable for the Water Department were missing. No Fire Department records were left at the facility only the financial records of the Fire Department and the District.
- Disposal of Old Computer. Chairman Domey reminded the District Clerk that he had to give the Water Department a form that needs to be filled out and sent to the Secretary of State before its computer can be discarded.
- Financial Statements. Treasurer Chmura submitted January's Profit & Loss Statement to the Committee and gave each department head a detailed list of expenses on his monthly financial statement. He elaborated that the Fire Department had spent

approximately \$113,000 year-to-date and had about \$108,000 left in its budget. The Water Department had spent about \$207,000 year-to-date and had about \$158,000 left in its budget. Both Departments seem to be in good shape for the remainder of the year.

Unfortunately, Chmura is concerned with District Expenses. He said that \$128,000 had been spent year-to-date. Only \$38,000 was left until the end of the year. It appears that the District may exceed its budget. He continued that tax receipts for the first quarter of this year have not been received. Because the rates had been raised and with the addition of monthly rental payments from AT&T, more revenue will be coming into the District. Domey said that he was worried about budgeting for legal expenses. In addition to new contracts for Scott Majka, Sherrie Bellefleur, and a new Assistant Water Superintendent, the new agreement with the three Water Districts, a new building, and an ambulance service will all contribute to increasing legal expenses. Although attorney fees are only \$175 per hour, which is reasonable as most attorneys charge between \$300 and \$400 per hour, the number of hours required for the attorney's services are substantial. Treasurer Chmura said that because expenses are covered by the tax rate, it is important to set the rate properly. Domey suggested using next month's meeting exclusively for budget preparation and dealing with emergency issues. District Clerk O'Connor repeatedly stressed that the budget figures are needed by the end of the next meeting for him to prepare warrant articles.

Billing Clerk, Toni MacKenzie, reported to Chmura that overdue accounts amounted to \$53,000, which is less than last month, and that over 90-day accounts were at \$37,000, a decrease of \$3,000 since last month. Chmura said that he will analyze the largest offenders for next month's meeting. Notices could be sent out now informing residents with overdue accounts that, effective March 15, shut-off action will be pursued if accounts are not paid. Approximately \$16,000 has not been paid yet on January's bills. Chmura estimated that almost 33 percent of water accounts have not been paid. The entire Committee was in agreement that more aggressive collection action is needed. Domey reviewed the merits of implementing the new BMSI software in helping to ease this predicament.

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.

MOTION (JALBERT, REIM): To use next month's meeting for budget preparation and emergency issues only. 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 January 2015 received a total of eleven (11) calls.
- Fire Department Security System. Turner said that Gary Majka from Pathfinder is aware that he must meet with Domey concerning the technical aspects of the system. An 8-camera recorder and their locations were addressed. Access control still needs to be worked on. Domey suggested something quick and simple to tie into the alarm panel. He will get it from the distributor.
- Disposal of Fire Rescue Truck and blue Pick-Up Truck. Turner had an issue with his email, so no action has been taken yet.
- Budget. Discussion on the budget will wait until next month's meeting.
- Shoveling around Fire Hydrants. Vice Chairman Reim asked Turner if his budget covered clearing snow from around fire hydrants as a safety precaution for the firefighters. He brought up instances where the elderly are unable to adequately take care of snow removal. The Fire Chief said that this fell into the Extra Duty Account and that some of his men did go out to clear around some hydrants. He will have the areas mentioned by Reim cleared. Reim claims that other municipalities provide this service for homeowners. Domey suggested asking the Town Manager if any bylaws exist regarding this situation. Domey questioned the \$14,000 a year for maintenance. O'Connor explained that it was for maintenance as well as for infrastructure. Turner wanted some clarification on hydrant markers. The Committee was in favor of marking the District's fire hydrants.

MOTION (DOMNEY, JALBERT): To have the Water Department put hydrant markers on the fire hydrants. Approved 3-0.

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

Report of the Assistant Water Superintendent

- Legal Opinion: Appointing a new Water Superintendent. Chairman Domey had consulted with District Counsel, Michael Hassett, on whether the Water Superintendent's position needed to be publicized. The District Counsel's letter in reply was read to the assembly. It concluded, "Although you may advertise an open position, neither federal nor state law requires advertising. . . . Therefore, if you wish to promote from within the Department, you may." In response to Chairman Domey's inquiry, Scott Majka affirmed that he had all the required licenses needed to qualify him for the Water Superintendent's position.

At last month's meeting, W.S. Sasur had submitted his letter of retirement effective June 30, 2015. His letter was read by Domey. No action had been taken on it last month giving Sasur time to reconsider. In a phone conversation with Chairman Domey prior to this meeting, Sasur reaffirmed his intention of retiring on June 30, 2015. Domey asked for a motion to accept W.S. Sasur's letter of retirement.

MOTION (JALBERT, REIM): To accept the Water Superintendent's letter of retirement effective June 30, 2015. Approved 3-0.

MOTION (DOMEY, REIM): To appoint Scott Majka as the next Water Superintendent effective July 1, 2015. Approved 2-0-1.

- Update on Building Committee. District Clerk O'Connor said that the Committee was waiting for the Request for Qualifications (RFQ) draft for architectural services. The need for an architect and feasibility study had been complicated due to recent changes in the law. Michael Hassett's office is preparing it, and it should be available within a week. The Building Committee's next meeting will be scheduled once the RFQ is received.
- Bid Procedures. Domey stated that an updated process on bid procedures for contracts should be ready by Friday, February 13. Al Nardi is preparing it. Once received, advertising for a contractor to do emergency work for the Water Department can be initiated.

Assistant Water Superintendent Majka discussed the following items:

- 2016 Budget Preparation. Next year's budget will be similar to last year's budget. O'Connor said he needed the figures in order to write the warrant articles, and he is running out of time. Since the Finance Committee Meeting is on March 30, he must have the numbers by next month's meeting. As Majka will become the new Water Superintendent, it is now up to him to compile the budget.
- Forest Management Grant. The grant money has been received from the State to pay the forester for his services. Since the forester had already been paid from a Water Department account when his services were performed, Majka said the check from the grant should be deposited back into the Water Department.
- Establish Meter and Capital Improvement Stabilization Accounts. W.S. Sasur had previously requested a separate Stabilization Account for money generated from meter rentals. O'Connor said that he had discussed the procedure for estimating the amount that was collected for 2014 from meter rentals with Billing Clerk, Toni MacKenzie. Domey and Chmura agreed that meter rental rates will have to be increased to cover the cost of new meters. O'Connor said that funds could be taken from the Water Department's revenue as that was where all the meter rental money had been deposited over the years. Chmura was asked to come up with a meter rental increase amount for July 1. According to Majka, the life span of water meters is between 20 and 25 years. Chmura estimated that meter rentals would need to be doubled in order to pay for new water meters in that amount of time.

Domey said that the State is requiring a stabilization account for future capital improvement projects. He suggested that \$10,000 a year be put into that account for this purpose. This led to a discussion about the two accounts with UniBank with amounts of \$218,000 and \$9,000. Only 0.15% interest is being paid on these accounts. Looking for a better return on these funds will have to be addressed. It is unclear as to which department the accounts belonged to, the Water Department or the Fire Department. Domey suggested checking the audit. O'Connor volunteered to talk to Stephen Marhelewicz about these accounts. Majka was asked to determine the annual amount of money to be set aside for capital improvements.

- Response to DEP Sanitary Survey. The Sanitary Survey is an inspection report by the State that looks for deficiencies in the whole system. Although the District had no high priority deficiencies, a few low priority discretionary deficiencies were found at the tanks because the drains were too close to the ground. These will be corrected.
- Meeting with Bondsville's Prudential Committee Chairman. Domey reported that David Lavallie assured him that Bondsville is still interested in the Coordinated Water Study agreement. Bondsville's attorney was to put together the future coordination agreement for Three Rivers, Bondsville, and Thorndike. Lavallie has recently been in contact with the attorney and is ready to proceed with it even though Thorndike's participation is still uncertain. Once the agreement is signed, grants will be applied for that will mutually help the Water Districts. Fire Chief Turner mentioned that there is a better chance of obtaining regional grants than individual grants.
- Meeting with Acting Highway Superintendent and Town Manager. Domey said that Rudy Pisarczyk is in favor of providing emergency service work to Three Rivers and other Districts. Domey met with Charles Blanchard regarding the possibility of Palmer providing this emergency service work. With the revenue generated from Three Rivers to the Town of Palmer, Domey believes that everyone would benefit. He told Majka that an agreement with a backup contractor is still needed.

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

Old Business

Open Meeting Law Complaint. A letter from Jonathan Sclarsic, Assistant Attorney General from the Division of Open Government, has been received in response to a complaint by Stephen Marhelewicz, who questioned the vote to replace him as accountant/bookkeeper for the District.

Domey related the scenario of events. On March 5, 2014, Marhelewicz gave the Treasurer a notice that his fees would increase to \$10,000 with an additional \$1,200 to assist in the audit. Domey claimed that what Marhelewicz called a bid was a notice of rate increases. At the District Meeting on May 20, \$10,000 was approved for an accountant/bookkeeper with an additional \$1,200 for the audit. Since Chapter 30B of the Inspector General’s Manual states that contracts over \$10,000 must seek price quotes from at least three vendors, Domey opted to solicit bids from several other local accountants/bookkeepers before the next monthly meeting on June 11, 2014. The Committee examined all of the new bids that had been received and decided on hiring one who bid \$5,000 annually. In November, Marhelewicz filed his complaint because his bid was not brought up at the June meeting. Domey said that since a bid had not been solicited from Marhelewicz, there was no proposal to consider, and Chapter 30B does not call for bids from any specific vendor. It was already known that he was charging the District \$11,200, and the Committee chose a lower bidder. Marhelewicz was informed by the Office of the Attorney General that the timeframe for filing a complaint had expired. It stated: “a complainant must file a request for further review with our office within 90 days of the alleged violation” .and that “. . . an initial complaint must be filed with the public body within 30 days of the alleged violation” The letter informed Marhelewicz that if a response was not received by Friday, January 16, 2015, it will consider the matter closed.

Domey noted that in 2006 when the present Prudential Committee took office, Marhelewicz was charging the District \$6,600. In 2015, nine years later, the District is only paying \$5,000. Reim was still bothered by the missing water receipt records that were not in the records turned over to the District. Domey referenced a letter from Marhelewicz from 2012 stating that he had all the records, invoices, and bills since he took over. Domey maintains that there were no accounts receivable for the Water Department in the records Marhelewicz had turned over. Those records were recently inventoried by Stephen Chiacchia and Sara Rossman, a paralegal at District Counsel, Michael Hassett’s office.

New Business

No New Business.

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 March 11, 2015.

MOTION (JALBERT, REIM): To adjourn from the Open Meeting at 9:06 p.m. Approved 3-0.

Submitted by:

Approved as to Form and Content:

Diane Baldyga, District Recording Secretary

Raymond Domey, Chairman

Date: _____

Date: _____