



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

Prudential Committee Minutes

August 12, 2013

Chairman Domey called a meeting of the Prudential Committee to order at 7:04 p.m. The Pledge of Allegiance was recited.

IN ATTENDANCE:

Raymond Domey, Chairman
Donald Reim, Vice Chairman
William Jalbert, Clerk
John Sasur, Water Superintendent
John Chmura, District Treasurer

Jeffrey Baldyga, Substitute District Secretary
Patrick O'Connor, District Clerk
Scott Turner, Fire Chief
Michael Hassett, District Attorney
Al Nardi, Project Engineer for Anderson Street Reservoir

Approval of Minutes

The Committee reviewed the minutes from the meeting of July 22, 2013.

MOTION (JALBERT, REIM): To approve the minutes from the meeting of July 22, 2013. Approved 3-0.

Old Business

Letters containing legal opinions and professional advice regarding the single bid that was presented for work to be completed at the Anderson Street Reservoir were received from Project Engineer Al Nardi and District Attorney Michael Hassett. Both recommended rejecting the bid as it was not in the best interest of the District. Nardi explained that the sole bid received was \$8,763 over the estimate he had obtained for the project; that the bidder failed to attend the required pre-bid meeting; and that a number of other discrepancies and issues existed, which are noted in his letter. Nardi and Hassett suggested rebidding the project either in the fall of this year or the spring of 2014. Nardi noted some advantages to rebidding in the fall: Neither the DLI wage rates or the material costs will increase before September 18. Also, the fall is apt to be drier than the spring. He advised expanding the advertising in more of the local newspapers (from Worcester to Springfield) as well as the Central Register, and to consult with contractors about ways of modifying the project in order to save money. Chairman Domey mentioned that additional funding may need to be requested at a Special Meeting.

MOTION (JALBERT, REIM): To rebid the Anderson Street Project. Approved 3-0.

New Business

Attorney Hassett had consulted with Attorney Dennis Tully about a survey of the North Street property. Tully said that the survey from Henry Wisener, one of the owners of the property, was sufficient. Wisener paid for the entire survey. The purchase price of the property is \$15,000 plus \$2,000 in closing costs. Tully will put together a document that should meet the Prudential Committee's approval and will redo the Purchase and Sales Agreement. In the meantime, Chairman Domey said that a Finance Committee meeting and Special District meeting will have to be held as the amounts of funding appropriated for these projects (Anderson Street Reservoir and North Street) are below the amounts necessary for their completion. At the meeting, funding for both projects can be addressed. Funding for the Anderson Street Reservoir will come under the Fire Department budget, while funding for the North Street property will come under the Water Department budget.

MOTION (REIM, JALBERT): To hold a Special District Meeting and Finance Committee Meeting to acquire additional funds to complete the Anderson Street Reservoir, North Street land purchase, and any other articles submitted. Approved 3-0.

Report of the Treasurer

Treasurer Chmura presented the Committee with a final corrected copy of last year's financial report as well as the profit and loss statements for the month of July. District Clerk O'Connor requested a Balance Sheet for the end of the year's annual report. Committee members accepted the reports for consideration and review. Chmura noted three (3) delinquent accounts with major outstanding water receipts for 2013 that was not included in this year's budget. The Water Superintendent said that Kent, Inc., had been paying regularly until about a year ago. With seven or eight families living in the apartments, it is difficult to shut the water off on them.

Vice Chairman Reim questioned a \$490 check to Thorndike. W.S. Sasur said that it was money returned for an overpayment from Thorndike for the Capital Efficiency Study. Each party has paid its allotted share, and the books on that article are now balanced.

Chairman Domey asked about the annual bulk water revenue. Chmura said it was paid on an invoice basis as purchased. The Water Superintendent said that companies are billed every two months, and that annual receipts are approximately \$36,000.

Chairman Domey said that when Stephen Marhelewicz completes the annual adjustments and records for the District, the annual audit should take place. Steps will be taken to move forward with the audit at September's meeting. Domey spoke with Toni MacKenzie about the integration of the new computer system. The new system is expected to be integrated in the next billing. W.S. Sasur said they are in transition, but with collections, readings, billings, and shut-offs, it is difficult because the Billing Clerk is only part time. She seems to be handling most of it pretty well, and things are progressing.

A letter from Stephen Marhelewicz, District Accountant, asked that all bills and time cards be submitted to his office by 10 a.m. on Fridays so they can be processed on a timely basis. He suggests asking vendors to submit their bills by Wednesday or Thursday so they can be verified before forwarding them to him.

MOTION (JALBERT, REIM): 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 submitted the call report for the month of July 2013. A total of sixteen (16) calls were received: six (6) all calls and ten (10) duty-officer calls.

Turner felt the Open House at the Fire Station Headquarters on Saturday, August 10, went very well. Between 100 and 150 people attended. The Western Mass. Safe Group and Ladies Auxiliary helped. Next year, other local fire departments will be involved.

A discussion took place about transferring money from Performance Bonus/Severance Pay into Article 9 for equipment in order to purchase a Zodiac (inflatable raft). Some monies had been withdrawn from this account to pay the retired chief's sick days, vacation time, etc., as not enough money was left in the past year's account. The new chief will be given a Performance Bonus instead of a raise. Money will be budgeted in January for this compensation.

The Chief updated the Committee about acquiring a Zodiac and the Swiftwater Rescue Team. The Wastewater Treatment Plant has a Zodiac and offered to donate it to the Fire Department. Some confusion existed as to whether this was allowable. Charles Blanchard, Town Manager, said it was town property and could not be donated. However, Andy Golas, Administrative Assistant to the Town Manager, said that, in the past, signing an MOA (Memorandum of Agreement) would permit the transfer. The Chief was advised to attend a Town Council Meeting to complete the transfer.

The Fire Department's Operations Manual was reviewed. Turner said that it was a generalized start for the plan. Monthly meetings with his officers will provide an ongoing update of the Manual. Chairman Domey asked if Turner had a Procedures Manual recording how and when things are done, department forms, etc. District Clerk O'Connor will help the Chief develop one.

Four boxes of Fire Department records were taken to the storage facility. They need to be returned as Master Sheets must be kept indefinitely. The Chief wants to make sure they will not be shredded.

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

Report of the Water Superintendent

W.S. Sasur took issue with publicizing the evaluation of an individual in the minutes. He strongly feels that discussing an individual's personality and traits should not be made in open meeting and part of a public record. Clerk Jalbert agreed. Chairman Domey responded that there are only 10 reasons to go into executive session, and job performance is not one of them. Sasur believes that the two exemptions to records disclosure requirements pertain to an employee's professional competence. He submitted a copy of these exemptions. Domey offered Sasur a copy of the 10 reasons for executive session, and told him to get a letter from the Attorney General (AG) for an exemption in the minutes. Domey said he was only interested in Scott Majka's job performance. Sasur maintains that stating, "There was a discussion about an employee," is sufficient to put into the minutes. He conceded that his report was also public

record and would be available to the public if a person wanted to see it. He also pointed out that minutes of an open meeting need not be a “*transcript*” according to the Attorney General’s rules. Chairman Domey’s interpretation differed based on his copy of the AG’s rules. Further discussion took place concerning voting on blood relative issues between Clerk Jalbert and Domey. Jalbert claims he should be able to vote on Majka’s status just as Domey has voted on Pat O’Connor’s (a blood relative) position over the past years. Vice Chairman Reim interjected that Scott is a good worker, but had questions about John’s report.

Chairman Domey asked W.S. Sasur to go through the short list of qualifications for an assistant water superintendent and give his opinion on what Majka is proficient at. The Water Superintendent said he was capable of 50-75% of office work, is familiar with his files, knows the codes, and has his own database and Excel files. He does not do billing; it’s not part of his job. He is capable of keeping data in accounts up to date and operating the system. He has not been tested under stress or catastrophic situations. If he cannot handle a situation, there are resources in other local water departments (Palmer, Monson, Belchertown). Majka knows where all the books and records are located to help in difficult situations. Additional training programs will become available for him to attend. Domey asked if Sasur was teaching him to be the next Water Superintendent or is he just being used as an employee. W.S. Sasur said that he shows him how to do something, allows him to work independently to gain experience, and then checks his work. Domey said that he doesn’t doubt that he’s a smart kid and can do what he is told to do, but does he qualify as an assistant water superintendent and would he recommend Majka as the Assistant Water Superintendent. He responded that “his credentials would get him a job as an Assistant Water Superintendent in another system.”

MOTION (DOMEY, REIM): To hire Scott Majka full time as the Assistant Water Superintendent based on the endorsement of the present Water Superintendent . Approved 2-0.

Clerk Jalbert claims that it is the Committee’s responsibility to make the decision to hire someone and not the Water Superintendent’s. The Committee also serves as Water Commissioners. Domey said he didn’t have a problem with that, but the decision was based on the Water Superintendent’s recommendation.

MOTION (DOMEY, REIM): To increase Scott Majka’s salary from \$15 an hour to \$20. Approved 2-0.

Chairman Domey recommended that the District Office Building Committee begin meeting and asked the Water Superintendent to initiate it.

The Prudential Committee will change its regular meetings to the second Wednesday of the month to avoid conflicts with the Palmer Town Council.

MOTION (REIM, JALBERT): To change meetings to the second Wednesday of the month beginning in September. Approved 3-0.

W.S. Sasur said that payment plans are established by the Billing Clerk for customers in jeopardy of water shut-off due to nonpayment. Toni MacKenzie can be reached by cell phone if water customers need to speak with her. Vice Chairman Reim urged the Water Superintendent to collect past years outstanding accounts and shut off their water as prescribed in the Shut-Off Policy. W.S. Sasur advised him to talk to the Billing Clerk. She notifies the Water Superintendent as to whose water is to be shut off. That policy was established by the Board of Water Commissioners. Domey stated that because of the transition to a new system, MacKenzie needs a little more time to complete the changeover. Sasur requested information on accounts cited by Reim, and said he will research them. After he gets the background information, he will be able to answer questions.

VOC (Volatile Organic Contaminant Report) detected trace amounts of ethyl benzene and xylenes content in Well #1 and Well #3. Ongoing monitoring and testing of these wells will continue. It could be a laboratory error.

The Water Superintendent asked the Committee to transfer the 2009 appropriation for work that was to be done on Monet Street back into the Water Surplus Account at the special District Meeting as it will be needed in the spring for some remedial work at Sunset Acres. Domey said that money had already been transferred at the Annual District Meeting.

The next Capital Efficiency Study meeting in Bondsville is on August 13 at 6 p.m.

MOTION (JALBERT, REIM): To accept the report of the Water Superintendent. 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 September 11, 2013.

MOTION (JALBERT, REIM): To adjourn from the Open Meeting at 9:10 p.m. Approved 3-0.

Submitted by:

Approved as to Form and Content:

Diane Baldyga, Recording Secretary

Raymond Domey, Chairman

Date: _____

Date: _____