

BOARD OF COMMISSIONERS MEETING

MINUTES OF

June 9, 2020

Buzzards Bay Water District 15 Wallace Ave. Buzzards Bay, MA 02532

MINUTES

Present:

Wendy Chapman, Chairperson

Joe Carrara, Commissioner

Judith Flynn, Commissioner

Jennifer Kelson- Treasurer

Barry Woods, Admin. Support

Steven Souza – Superintendent

Louise Warren- Billing Clerk

Skip Barlow – Resident

Meeting was held outdoors at the office at 15 Wallace Ave and recorded by Jennifer Kelson, Treasurer.

Minutes

The meeting was called to order by Wendy Chapman, Chairperson, at 4:00 pm.

Approval of meeting minutes dated 5/26/2020 and 6/2/2020

Judith Flynn suggested Jenn revise the wording on the 5/26/2020 meeting minutes and replace the word “has” with the word “have” in the sentence that begins, “Jennifer Kelson, Treasurer, commented that office staff (Louise and Jennifer).” Judith said that she would accept the minutes as amended.

Wendy made a **MOTION** to accept the minutes as amended. Joe seconded the motion, and all in favor.

Approval of the May 2020 billing commitment

Judy made a **MOTION** to accept the billing commitment. Joe seconded that motion, and all in favor.

Update on Declaration of Emergency and Reopening Status

Wendy asked for discussion on this subject. Jenn suggested that the board make a motion to follow the Town Hall’s schedule. She pointed out that this would allow BBWD to reopen and resume normal scheduling without requiring that the Board meet for an Emergency Meeting to vote. Jenn stated that it would allow staff to get back to work faster.

Wendy stated that Town hall is still not operating at full staff and is still not open to the public. Wendy said staffing depends on the particular department. Wendy stated that “full staff” is different than opening to the public. Jenn stated that we need a plan going forward.

Judy suggested that we continue to do what we are doing, and when Town Hall opens to the public, BBWD will open to the public. Wendy said there may be a step prior to opening the doors to the public where all staff is present, but the doors are still closed to the public. Wendy said that Town Hall may be closed until August or September, but there may be a step in between where all staff may be able to report to work at the same time.

There was more discussion on when BBWD should be back to full staff. It was emphasized that we are rotating schedules right now to prevent the spread of Covid. Wendy said if one technician gets sick, all workers would need to quarantine for two weeks and we would have no staff for operations. Right now, we are working 2 on- 2 off to prevent this from happening.

Judy suggested we go along with what the Town is doing.

Joe said that the wrench thrown in is if one person gets sick, the whole staff would be affected. Joe said we should continue with a partial staff for a bit longer.

Skip Barlow summarized the issues by saying that what Jenn is asking for is a motion that the District follow the Town and when they become full staff, we become full staff. And, when they reopen to the public, BBWD reopens to the public. This motion would allow us to continue operations without having to hold an emergency meeting.

Judy asked if DPW is working full staff. Wendy said they are rotating, half crew on/ and half crew off.

Louise stated that we have billing coming up.

Steve said that if something happens, all the guys show up for a water main break or an emergency.

Judy made a **MOTION** that the staff continue to work as they are now until the Town becomes full staff and that we will not open to the public until the Town opens Town Hall to the public. Wendy seconded that motion, and all in favor.

Decision to Revise Annual Meeting Warrant

Jenn stated that there was no real discussion at the last meeting about why we made the decision to revise the annual meeting warrant from 13 articles down to 10 articles. She explained this decision was made based on the suggestion of Attorney Bob Troy. Bob Troy was not happy with the wording of the articles regarding bylaw changes, and he thought it would be in our best interest to push those articles to a later meeting. The board may want to consider having a special district meeting in the fall to address those three articles separately. Wendy said Bob Troy was not sure if one of our changes was a bylaw amendment or an act of legislature. Jenn said that due to the annual meeting being held outdoors in a tent, not being sure of the weather, etc., it would be best to stick to the regular customary articles.

Judy thanked Jennifer for getting the revenue information in the meeting packet.

Discussion and Vote on Article Funding Sources.

Jenn then asked the board to refer to the Draft annual meeting packet and to look at the information regarding free cash and funding sources. Judy asked that the annual meeting packet have numbered pages. Jenn said that she could number the pages. Jenn said that it was decided that we should pull money out of free cash to help support operating expenses. Previously, the auditors were not that keen on using free cash to off set the operating budget, but due to Covid and the current situation, a lot of towns/municipalities are using free cash to help offset expenses. Revenues are a bit uncertain, and the use of free cash would help. If we end up not needing the free cash, it will roll into the next year's free cash.

Judy stated that we are using quite a bit of free cash this year. She agreed that the 150k we are putting into free cash will roll forward if not used. Jenn said that the use of free cash would also help to keep the tax rate down.

Judy made a **MOTION** to move 150k out of free cash to help support operating expenses of the general budget. Joe seconded that motion, and all in favor.

Jenn asked if everyone was okay with what was included in the meeting packet. There was discussion on when the packets would be available to the public. Judy explained what the town does. Wendy replied that we do not have anything in our bylaws stating that we need to provide the information to the public prior to a meeting. Jenn said that she would have the information available by this Thursday. Judy made the request again for the pages to be numbered.

Jenn brought up the topic of the backgrounds provided with the articles. The background information is provided in the meeting packet. There was discussion on whether that background information should be read out loud during the meeting. Barry gave his opinion regarding backgrounds. He stated that some residents do not want the backgrounds read because they make the meeting too long. He said someone needs to be prepared to read the backgrounds if necessary. Wendy explained that they do not read the backgrounds at the town meeting. She said sometimes they give a summary of the background, but the information is always available in the booklet. Wendy stated that as long as the information is there, available to the public, and we give people the time to ask questions, we are covering all our bases.

Judy pointed out that Article 9 needs to read "Read by Joe."

Judy made a **MOTION** to approve the annual meeting Articles of the Warrant. Joe seconded that motion, and all in favor.

Superintendents Report

Wendy asked Steve if we have sent a letter to the Town asking for information about what projects are coming up in Buzzards Bay and inviting them to a meeting. Steve stated that the draft of the letter is in the packet. Steve explained that the Town Admin. asked that Steve hold off on sending the letter until he has had time to review the contractor's figures and make sure their information is correct. He wants a couple of weeks to review their water and sewer needs.

Steve stated that we get the emails from the planning board about meetings. Wendy asked if there was a chart showing what construction is being proposed and the gallonage of water needed. Steve passed out a handout summarizing this information. Wendy said she doesn't want the projects to get too far down the road and then we don't have the water to provide. She asked, Who is legally responsible for them not to be able to open? Is it the town? Is it the district? Barry and Steve have tried multiple times to have the Town include them in new development and planning. The Town continuously refuses to give the District information. Judy asked if we are required to give these projects water. Wendy stated it could be a legal problem for us. Barry explained that it is a legal issue.

Barry explained that we have been fighting for 10 years to get a permit to pump more water. We have been begging the town for information which would allow us to apply for an increase. Steve has a lot of paperwork to complete for the state, but he also needs to have the data from the town to back him up. Barry stated that when our permit is renewed, the district residents may have to adhere to water restrictions. It will probably be a condition of our permit.

Barry said that the Board needs to come up with mandatory policies regarding water availability for the new projects. It can't be left of Steve's shoulders.

Wendy explained to Judy that Steve and Barry would go to the planning board asking to see plans and be told there were none. They would be told to attend a meeting and the meeting never existed. The town did an in-house building of the park, and we were not included. This has been a problem for a very long time.

Judy said she is willing to attend sewer commission meetings. Wendy said that it is more prudent to invite the various boards to our meeting. She also suggested that we wait until after June 23 when new members are voted to the boards.

There was discussion about Mass Maritime. Joe brought up the issue that if we reach our capacity to pump, what do we do if someone like Mass Maritime completes one of their projects and we are not able to provide the water they need. The District will look like a fool. Judy said we must get the info from the Town, from the Academy, etc. We need the information.

Wendy asked Judy how her status is with Mass Maritime. Judy answered, alright, I guess. Wendy asked if she has been able to follow up with them on their projects. Judy said she is going to give them a call, but no one has been there. Wendy said that they are all working there remotely.

Wendy said that we have been fighting with the Town. We have been trying to get on the routing slips. The Town Admin. said to give him 2 weeks to review the numbers, and then we should invite the boards and the town to our meeting. This would be most prudent. There may also be a new selectman and new planning board members in a few weeks. We should wait until the new people are elected so that we can include them in the meeting.

Wendy stated that we may need to get our attorney involved to put the Town on notice if they grant development and we are unable to provide water. Judy said that using Bob Troy would be

a conflict of interest for him since he also works for the Town. Wendy emphasized that it would not be a conflict.

Barry said that we need the cooperation from the Town. The Board is responsible for the District. Joe said people need to realize there is only so much water to go around.

To end this discussion, Wendy said that at the next regular commissioners meeting, the board will decide on a meeting date to invite the various boards.

Barry suggested that the board develops its own internal policy to appoint each board member to be a liaison to other boards.

Steve presented the rest of his updates to the board per the super report.

Treasurers Report

Jenn presented her Treasurer's report to the board. Jenn brought up an HR issue that needed to be addressed by the Board. There was discussion on the Vacation time/Personal Time policy. Jenn explained that employees can roll forward 5 days of unused vacation time, but due to Covid, employees have a lot of unused time that they may lose. Judy brought up buying back time. The District does not currently buy back time. Wendy also explained that Personal Time does not roll forward.

There was discussion regarding rolling additional weeks of vacation time due to the virus and scheduling issues. People are not taking vacation because of what is going on. Wendy suggested making an exception and allowing people to roll forward all their earned vacation time this time. All vacation time would need to be used next year minus the 5 days that we allow people to roll forward.

Wendy said that because of adverse circumstances (Covid), and because employees are dedicated to doing their jobs, they shouldn't be penalized by losing vacation. Wendy said that the Town does not buy back vacation because it becomes more of a habit and a problem.

Wendy asked if it is the policy to use vacation time by the employee's anniversary date or by the end of the month of your anniversary. Jenn said that there is not a policy, but that she has been following the rule of using the end of the month as a guideline. Wendy says that the Town is by the month.

Judy made a **MOTION** that this one time, employees can carry over their unused vacation time to their next anniversary month. At the next anniversary month, they go back to only being allowed to carry over 5 days. Joe seconded that motion, and all in favor.

Judy pointed out that when Jenn sends out the email with the meeting information, the attachments have an extra blank page at the end. Judy requested that Jenn edit the document to remove the extra page.

Any business not reasonably anticipated within 48 hours None

Commissioners comments/select next meeting date

Annual meeting has already been set for Tuesday, June 16th. Wendy asked that Jenn check with Bob to see what his availability is for the July meeting since he is up for Chairman position.

Adjourn

Judy made a **MOTION** to adjourn at 5:36pm. Joe seconded that motion, and all in favor.