

BOARD OF COMMISSIONERS MEETING

MINUTES OF

October 9, 2018

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

MINUTES

Present:

Joseph Carrara, Chairman
Wendy Chapman, Commissioner
Robert, Ethier, Commissioner
Jennifer Kelson, Treasurer
Wayne Perkins, Crew Chief
Steven Souza, Superintendent
Barry Woods, Admin. Support
Dennis Woodside, Bourne Police
Peter Meier, Selectman/Resident
Attorney Robert Troy
3 Buzzards Bay residents

The meeting was called to order by Joseph Carrara, Chairman at 4:00 pm.

Peter Meier asked the board if we could address items 3-5 first due to time constraints.

OLD BUSINESS: Discuss and vote on the request from Town of Bourne to waive system development fees for the new police station at 35 Armory Rd.

Joseph Carrara briefly read from a script which summarized what was discussed at the last meeting regarding the system development fees charged to the police department. Joseph Carrara explained the expenses that the district faces in order to maintain operations and current level of service. He described the fee structure and explained how an in-depth rate study was done a couple of years ago. New rates were put into effect in July 2017. He stated that if we did not raise our rates, the Buzzards Bay Water District would not be able to operate.

Chief Woodside asked who wrote the script and if the topic of the police station was discussed by the board at anytime outside of last month's district meeting. Joseph Carrara responded that he wrote the document, and that they had not discuss the issue since the last meeting.

Chief Woodside asked if an 8" main would benefit the district in any way. Superintendent, Steven Souza responded that, "yes, it would be a benefit." Steven Souza also stated that the main would be owned and the responsibility of the police department. There were questions from the floor regarding how the system development fee was accessed, and what exactly does the fee cover? Barry Woods explained that a \$25,000 credit was applied to the job because the Superintendent realized that the main would benefit the district and the community. If that credit was not accessed, the police station would have been billed \$51,000 for the job.

Chief Woodside stated that \$26,000 is excessive for something that, “is just a service hookup.” He explained how the police station is a low water user. Wayne Perkins, Crew Chief, explained how water usage is irrelevant to the hookup cost and that an 8” main is required for fire hydrants. Barry Woods provided background information regarding the creation of system development fees and their purpose. Development fees are to help fund capital outlay. There was also discussion regarding other water districts and the fees charged by other districts.

A resident asked Chief Woodside if the police department had a budget for utility hookups. Chief Woodside said yes. The resident also stated that he did not think that the board had a right to waive the fees.

Wendy Chapman, Commissioner, said that she had been approached by residents of Buzzards Bay saying that they would be asking for a break on fees if the district gave the police station a break.

Commissioner, Robert Ethier, stated that the district raised fees to be able to properly operate the district. Robert Ethier asked for a recommendation from Barry Woods and Steve Souza regarding if the fee to the police station should be changed. Steven Souza responded that, “in order to sustain the system we need to collect at least the \$26,000 that was billed to the project.” Barry Woods agreed with the statement. He said that it is nice to try to help and take care of someone, but it can cause problems. He also said if the station had decided to connect somewhere else that did not benefit the district, we would have had to charge them the full \$51,000.

Wendy Chapman had a question and asked if the 8” main was mandated. Steven Souza responded that it was required.

Joseph Carrara spoke again regarding how the police station would benefit the town and that everyone appreciates their service. He questioned how much can the taxpayers afford to cover? Buzzards Bay is only 10% of the population of Bourne and should not have to shoulder the expense for the entire town. Wendy Chapman agreed that a lot of the burden falls on the residents of Buzzards Bay. Two thousand two hundred Buzzards Bay residents cannot and should not have to pick up the cost.

Robert Ethier made a MOTION to not waive the \$26,000 fee that was billed to the police department. Wendy Chapman seconded that motion, and all in favor. All three commissioners agreed, “aye.”

Joseph Carrara then made a MOTION to take the agenda out of order and address items 4 and 5 next. Wendy Chapman seconded that motion, and all in favor. All three commissioners agreed, “aye.”

NEW BUSINESS: Discuss the approved amendment to legislative act to increase the number of board commissioners to 5 members to be elected for a 3-year term

Attorney Robert Troy explained how legislature passed the amendment change to increase the number of commissioners to a 5- member board to be elected for a 3-year term. Robert Troy discussed the district's options on the timing of the elections. One option was to have an election this fall and another election in the spring, but administering the timing of the 3-year terms would add extra work and additional district meetings. He suggested the best course of action that would adhere to the requirements of the amendment would be to elect one commissioner in April 2019's annual meeting and a second commissioner at the April 2020 annual meeting. Both would have a 3-year term. This would make the most sense within our existing framework.

Wendy Chapman made a MOTION to elect a 4th commissioner with a 3-year term at the annual meeting in April 2019 and to elect the 5th commissioner with a 3-year term at the April 2020 annual meeting. Robert Ethier seconded that motion, and all in favor. All three commissioners agreed, "aye."

New Business: Discuss instating a Recall policy

Joseph Carrara discussed the importance of board members knowing when to step aside if a topic is a conflict of interest. Joseph Carrara suggested that he and Barry Woods work on a written policy for commissioners (similar to an employee handbook). Wendy Chapman added that a recall policy should be instated to handle poor performance by commissioners.

Robert Troy explained that there is no state law for recalls. He stated that unless there is a compelling reason to create a recall policy, it should be avoided. The creation of recall policies is very confusing and time consuming. The cost often outweighs the benefits and they are very seldom used. He agreed that creating a commissioner policy similar to that of an employee handbook is a good idea.

The commissioners agreed that Joseph Carrara should further research the development of such policy, and it will be reviewed and voted on once it is created.

Approval of meeting minutes dated 9/11/18

Robert Ethier made a MOTION to approve the minutes dated 9/11/18. Wendy Chapman seconded that motion, and all in favor. All three commissioners agreed, "aye."

Approval of September 2018 Commitment

The commitment was signed and approved by all commissioners at an earlier time.

Superintendents Report

Presented by Steven Souza and accepted by the board.

Treasurers Report

Jennifer Kelson, Treasurer, explained her work with the DOR on certifying free cash. The district should have an answer on certified free cash within the next two weeks.

Any business not reasonably anticipated within 48 hours None

Commissioners comments/select next meeting date

Wendy Chapman asked Steven Souza the status of the wells and if all five wells were in operation. Steven Souza responded that three wells were up and running and hopefully the fourth will be up soon.

Agenda items suggested for next meeting:

1. Tax liens

The next Board meeting was scheduled for Tuesday, November 13, 2018 at 4:00 pm

ADJOURNMENT

Wendy Chapman made a MOTION to adjourn the meeting 5:30 pm. Robert Ethier seconded that motion, and all in favor.

Prepared by:

Jennifer Kelson, Treasurer
Buzzards Bay Water District