



TOWN OF CARVER

North Carver Water District

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North Carver Water District Minutes

July 7, 2014

Posted in Accordance with the Provisions of M. G. L. Chapter 30A, Section 20B, authorized person Jack Hunter.

The North Carver Water District Commissioners met on July 7, 2014, at the Carver Town Hall, Meeting Room #3, 108 Main Street, Carver, MA. The meeting was opened by Mr. Kevin Tracey at 5:00 pm.

PRESENT: Kevin Tracey; Stephen Romano; William Sinclair

ALSO PRESENT: Jack Hunter, Director of Planning & Community Development; Bruce Trumbull, SWSS; Kathy Kay, Administrative Assistant

**1. EXECUTIVE SESSION to discuss strategy with respect to litigation for the following properties:
0 North Main Street; 160 North Main Street**

Mr. Kevin Tracey, as Chair, declared that the Commissioners need to go into Executive Session, under reason #3 of Section 21 of the Commonwealth of Massachusetts Open Meeting Law.

MOTION: by Mr. Romano to go into executive session under M.G.L. c. 30A, §21, reason #3, to discuss strategy with respect to collective bargaining for litigation before the Commission and then come out of executive session and return to open meeting

SECOND: by Mr. Sinclair

APPROVED UNANIMOUSLY at 5:02pm

Returned to Open Session at 5:12pm, July 7, 2014

2. DISCUSSION AND POSSIBLE VOTE ON CARVER REALTY SETTLEMENT (Exhibit B)

MOTION: by Mr. Romano that the Commission authorize counsel to file the Joint Motion for Judgment with Proposed Judgment to settle the Carver Realty v NCWD Superior Court matter. Said Motion requesting that the Court order abatement of the current betterment of 8,000 gpd to 3,000 gpd. Carver Realty has agreed to waive credit for any monies already paid to the Town and has acknowledged that order does not prevent the Commission from assessing a privilege fee if the total water usage for the property exceeds 3,000 gpd. All parties are responsible for their own fees and costs and rights of appeal waived.

SECOND: by Mr. Sinclair

APPROVED UNANIMOUSLY

3. CITIZENS' PARTICIPATION – None.

4. MINUTES: March 19, 2014 (Exhibit C); May 12, 2014 (Exhibit D); June 9, 2014 – discussion and possible vote

MOTION: by Mr. Sinclair to approve the minutes of March 19, 2014, as written

SECOND: by Mr. Tracey

APPROVED 2-0-1 at 5:16pm (AYE: Tracey, Sinclair; ABSTAIN: Romano)

MOTION: by Mr. Sinclair to approve the minutes of May 12, 2014, as written

SECOND: by Mr. Romano

APPROVED UNANIMOUSLY at 5:17pm

Minutes of June 9, 2014 not ready at this time.

5. CLEARWELL EXPANSION – Preliminary Cost Estimate

Mr. Michael Ohl of Comprehensive Environmental submitted the attached Clearwell Expansion Preliminary Project Cost Estimate (Exhibit E) for the Commissioners' review, after having spoken with MBO Precast and adding 10% for a contingency plan (down from 25%). Mr. Ohl expects the expansion can be up and running by Thanksgiving.

MOTION: by Mr. Romano to go forward on the clearwell expansion

SECOND: by Mr. Sinclair

DISCUSSION: Mr. Sinclair would like to see the job completed no later than October 30, 2014. There would be another delay if it needs to go to Capital Outlay.

APPROVED UNANIMOUSLY

6. Water Operator's Report

a. FM Generator Maintenance Agreement

Mr. Bruce Trumbull of Small Water Systems Services (SWSS) reported that the generator maintenance agreement with FM Generator (Exhibit F) has increased \$100 per year. He stated that they are the top service provider and SWSS uses them for all their generators.

Mr. Sinclair recused himself as he has a conflict of interest. One of the companies he works for does business for FM Generator.

MOTION: by Mr. Romano to go into agreement with FM Generator for the generator maintenance for this fiscal year

SECOND: by Mr. Tracey

APPROVED 2-0-0 (AYE: Tracey, Romano)

Mr. Trumbull said that Decas was on holiday last week and did not do a full draw today. Mr. Hunter said he would speak with them to see if there was any issue.

Mr. Trumbull updated the Commissioners on the pH problem with the municipal wells.

Mr. Hunter asked if there had been any follow-up from DEP with regard to the fill station.

Mr. Trumbull said there had been no follow-up inspection.

7. NCWD Budget – FY14 and FY15

There has been no update on the FY14 budget. Mr. Tracey would like to know how much the Town subsidized the District for FY14, noting that if the District becomes profitable, it will need to pay the Town back.

Item to keep in mind is that the SWSS contract will expire in March 2015. Mr. Trumbull noted that it can be adjusted to the end of June 2015.

8. General Discussion

a. Outstanding Bills - update

Ms. Kay reported that there were four shut-off notices sent out, all of which were paid.

b. Water Bills Commitment

Backflow inspections were billed to customers on 6/19/14, for a total of \$675.00, and the total water billing of 7/2/14 was \$32,710.97.

MOTION: by Mr. Sinclair to sign the Water Service Charge Commitment of June 2014 in the amount of \$675.00 (Exhibit G)

SECOND: by Mr. Romano

APPROVED UNANIMOUSLY

MOTION: by Mr. Sinclair to approve the Water Charge Commitment of July 2014 in the amount of \$32,710.97 (Exhibit H)

SECOND: by Mr. Romano

APPROVED UNANIMOUSLY

c. Bills Payable – discussion and possible vote (Exhibit I)

MOTION: by Mr. Romano to approve payment of bills as presented on the Schedule of Department Bills Payable dated 7/7/14, for a total of \$10,740.45

SECOND: by Mr. Sinclair

APPROVED UNANIMOUSLY

9. NEXT MEETING

Mr. Sinclair asked that the Commissioners address the Wrightington Gas proposal at the next meeting.

MOTION: by Mr. Romano to post the next NCWD meeting for 8/11/14 at 5:00pm

SECOND: by Mr. Sinclair

APPROVED UNANIMOUSLY

MOTION: by Mr. Sinclair to adjourn

SECOND: by Mr. Romano

APPROVED UNANIMOUSLY

The North Carver Water District meeting was adjourned at 5:55pm on July 7, 2014.

Respectfully submitted,
Kathy Kay

Table of Documents

Exhibit A	NCWD Meeting Agenda – July 7, 2014
Exhibit B	Joint Motion for Entry of Judgement, Carver Realty, LLC v. NCWD
Exhibit C	NCWD draft Meeting Minutes of 3/19/14
Exhibit D	NCWD draft Meeting Minutes of 5/12/14
Exhibit E	Preliminary Project Cost Estimate, Clearwell Expansion
Exhibit F	FM Generator Maintenance Agreement
Exhibit G	Water Service Charge Commitment June 2014
Exhibit H	Water Charge Commitment July 2014
Exhibit I	Schedule of Department Bills Payable 7/7/14