




1.5

TOWNSEND WATER DEPARTMENT
540 Main Street West Townsend, Massachusetts 01474

Todd Melanson, Chairman

David Vigeant, Superintendent


6/13/22

Vice-Chairman

Christopher Jones, Clerk

Email water@townsendwater.org

WATER COMMISSIONERS MEETING AGENDA

May 17, 2022 – 7:00 P.M.

Water Department 540 Main Street, Meeting Room

NOTE REGARDING ACCESS AND PARTICIPATION

Governor Baker updated the State of Emergency to respond to COVID-19 on February 15, 2022 and ordered an extension of certain provisions of the Open Meeting Law M.G.L. c. 30A, s 20 put into effect on March 12, 2020, until July 15, 2022, at which time the extension will be repealed.

<https://us06web.zoom.us/j/89886952439?pwd=TEE5ZzVxQTZ0cVd4RW8rRzVDT0RFOT09>

Meeting ID: 898 8695 2439 Passcode: 402295 Log on Tuesday, May 17, 2022, at 7:00 P.M. to participate.

I. PRELIMINARIES:

- 1.1 TM called the meeting to order at 7:05 PM at 540 Main Street and by Zoom.
- 1.2 Announce that the meeting is being recorded on Zoom.
- 1.3 Roll Call showed members present: Todd Melanson (TM)-Chairman and Nathan Mattilla (NM) by Zoom. Christopher Jones was absent. Roll call showed citizens present: David Vigeant (DV)-Water Superintendent at 7:25PM, 540 Main Street, West Townsend.
- 1.4 Chairman's additions or deletions.

TM welcomed Nathan Mattilla back to the Board of Water Commissioners. TM would also like to thank the citizens of Townsend for their overwhelming support to build a treatment plant at Harbor Trace wellsite. TM also informed the board that he would like to set up a joint meeting between the BOS, BOH and the water department to discuss the source of the PFAS. NM asked a lot of questions about the PFAS and the source of why it is prevalent at the Harbor Trace well. TM also updated NM on the Clean Harbor clean up at the Witches Brook Wells which occurred when a storm blew down a transformer filled with oil at the wells.
- 1.5 Approve Meeting Minutes of April 21, 2022. **NM motioned to approve the meeting minutes of April 21, 2022, as written TM seconded. NM did not attend the meeting but is affirming as read.**
- 1.6 Review correspondence. Review dig-safe procedures. NM stated that this agenda item was put on because of his request. NM reported that he called dig safe to perform a job for a resident. When he arrived, he noticed that the markings ended at the curbstop instead of marking the water line to the home which can cause damage if he was to accidentally dig up the water line. DV read that the water department would be liable for mismarking the service and many of the service have no maps or maps that are incorrect. After a lengthy discussion TM said he is betting on the odds that most of the maps would be correct, and it would be the water department's responsibility to make it right if there was any damage. TM agreed with NM it's a liability that the water department has to take on. TM asked DV to write up something to add to the Rules and Regulations to review/vote for the next Board meeting.

II. APPOINTMENTS-VOTES MAY BE TAKEN

- 2.1 None.

III. MEETING BUSINESS-VOTES MAY BE TAKEN:

3.1 Update/Discuss Reorganize the Board. NM made a motion to reorganize the Board as follows: Todd Melanson, Vice Chair, Christopher Jones, Clerk and Nathan Mattila as Chairman. NM explained that he wanted to run the meeting follow the Roberts Rules. There was not a second. After some discussion TM made a motion to wait to reorganize the Board until we had a full board vote. NM seconded. Unanimous vote.

3.2 Update/Discuss Cross Charge Agreement. TM reported that this agenda item has been satisfied. He spoke with Ross and was satisfied with the way they broke down the cross charges for us to review.

IV. COMMISSIONERS UPDATES AND REPORTS-VOTES MAY BE TAKEN:

4.1 TM reported to date that the water department has a great relationship with the Board of Selectmen, and we now have a seat at the negotiating table. NM said that is great, but he feels we should have a written policy in place. TM agreed. The BOWC feels the Water Department should now have their own union.

4.2 NM have been talking to many residents, but they still believe they should be buying their drinking water. NM feels that any directive from the BOWC should supersede the Board of Selectmen regarding the social media policy and the department posting on town pages. TM and DV responded that we have sent out the information and it has been on every water bill beginning October 2021. DV stated that we are not allowed to use any other page except for our own private page.

V. LIASON UPDATES AND REPORTS-VOTES MAY BE TAKEN:

5.1 None.

VI. SUPERINTENDENT'S UPDATES AND REPORTS-VOTES MAY BE TAKEN:

6.1 Update/Discuss Main Street Well. DV reported that the electrical should be completed within ten days then we would need testing, flushing and have DEP sign off on the completed well.

6.2 Update/Discuss 169 Main St and Greely Rd. DV informed the BOWC that bidding for Greeley Road project end tomorrow at 2:00 P.M. DV continued by stating he will put a main down the road with two hydrants. Residents will be responsible to hire out a contractor to connect to the new main.

6.3 Update/Discuss PFAS. DV reported that PFAS testing for witches Brook 2 will be performed tomorrow the readings are bouncing between 10-17. If the reading rise above 20 we will need to shut down that well in addition to Harbor Trace which will create an even greater shortage in our water supply.

6.4 Update/Discuss Harbor Trace Treatment Plant. DV read aloud the timeline for the treatment plant.

May 18 2022 perk test

June 6-10, 2022 Test borings for water mains and for ledge and salt.

June 13-15 2022 Test borings for buildings foundations.

June 15-30 2022 Meet with architect.

June 15-30 2022 Media study complete and filters determined.

July 2022 Treatment Plant filters ordered.

August 2022 OPM Certification.

September 2022 Watermains out to bid

November 2022 Treatment Plant design

January 2023 Treatment Plant out to bid

March 2023 Break Ground

NM asked why DV keeps referring witches brook 1 & 2. DV stated they are two separate wells in close proximity from each other. NM asked DV for a brief explanation of the PFAS filters. DV explained there will be four large filters filled with either ceramic resin or granulated activated carbon that the raw water will run through.

- 6.5 Update/Discuss 12 South St-Deluxe. Deluxe is waiting to schedule police detail as they will have to shut the road down while they are repairing the issue. They are trying to schedule the work for the evening, as they will need to close part of South Street.
- 6.6 Update/Discuss Highland St. 46 Highland is now on the 16" waterline. 50-42 will be connected to the new main in stages. Hydra Tech was able to bore under the newly paved road for us not to damage the road.
- 6.7 Discuss/Review Updated Job Descriptions. DV reported the BOS met tonight to discuss the new job descriptions. DV was told to have the union approve before sending to the BOS.
- 6.8 Discuss generators at Main Street and Cross Street Stations DV informed the board that the water department received a grant from ARPA in the amount of \$ 220,000 for generators for the Cross Street and Main Street wells.
- 6.9 Update/Discuss FY23 Summer Interns. DV reported he had four excellent applicants. 2 interns are studying Cam and GIS, one intern is studying engineering and one candidate is pursuing horticulture and landscaping design. The board gave approval to hire all four interns provided they are approved by the BOS.

VII. OFFICE UPDATES AND REPORTS-VOTES MAY BE TAKEN:

- 7.1 Schedule next BOWC meeting. The BOWC scheduled their next meeting for Monday, June 6, 2022 @ 7P.M.
- 7.2 Review and sign April end of month reports. **NM made a motion to review and sign April end of month reports. TM seconded. Unanimous vote.** Someone will be in to sign the reports over the weekend.

ADJOURNMENT:

TM adjourned the BOWC meeting at 8:55 P.M.

Respectfully submitted,



Brenda Boudreau

Office Manager,

Townsend Water Department



Who is responsible for any utilities that are damaged? X



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By law, unless the underground facility was mismarked, **the contractor** will be held responsible for all costs resulting from the damage and its repair. In the case of a Transmission Line, or even a large Distribution Line, these costs can easily run into five, or even six, figures. Jan 15, 2018

<https://www.robsonforensic.com/articles/underground-...>

Excavation Damage to Underground Utilities – Expert Article

[About featured snippets](#) • [Feedback](#)

People also ask

What is utility damage?

Who is responsible for marking out the affected utility lines on the excavation site?

What is utility damage prevention?

How do you excavate around utilities?

[Feedback](#)
<https://www.masonprivatelocating.com/news/who-is-...>

Who is Liable for Private Utility Damages?

Jul 17, 2021 — Private utilities are the responsibility of the property owner, whether commercial or residential. They are often referred to as the lines that ...

<https://stephenbarkerlaw.com/blog/property-damage-...>

Property Damage Litigation Against Utilities – Negligence

Jan 23, 2020 — Negligence by a utility company may cause extensive damage to your property. If so, the utility company may be held liable.

<https://altitude.law/Resources>

Utility Easements Over Common Areas and Resulting Damage

Sep 23, 2011 — The utility company and contractor may be liable for the damages under the terms of the easement. This is the best position for an association ...

<https://www.structurescan.ca/whoisresponsible>

Who's Responsible When Utilities are Damaged? - Structure ...

If something goes wrong, and a utility is damaged on a construction project, the first person to point the finger at, is usually the excavator or trades ...

<https://www.weltman.com/publication-who-caused-th-...>

Who Caused the Damage: Determining Liability on ... - Weltman

Oct 21, 2010 — When a utility repair crew responds to a call of damage that appears to be due to a dig in by an excavator, the crew's first priorities are ...

<https://www.penneylawyers.com/serious-injuries/wh-...>

Who can be held liable for damages and injuries resulting ...

Nov 1, 2019 — Most utilities accept responsibility for damages caused by their negligence, but make exceptions for events "outside" of their control.

**TOWN OF TOWNSEND
WATER DEPARTMENT**

NO. 22-10

4/30/2022

SCHEDULE OF BILLS RECEIVABLE

To the Accountant: **Town Accountant**

The following bills, amounting in the aggregate to

NINE THOUSAND TWO HUNDRED NINETY FIVE AND 02/100 DOLLARS

are herewith committed for collection.

<u>DATE</u>	<u>USER CHARGES</u>	<u>FEE CHARGES</u>	<u>SERVICE CHARGES</u>	<u>BACK FLOW</u>	<u>TOTAL</u>
04/30/22	230,749.39	600.00	5,252.00	5,995.00	242,596.39

BOARD OF WATER COMMISSIONERS

Todd Melanson, Chairman

, Vice-Chairman

Christopher Jones, Clerk

FISCAL YEAR 22 SUMMARY
TOWNSEND WATER DEPARTMENT - ACCOUNTS RECEIVABLE
April 30, 2022

UNCOLLECTED FROM JUNE 30, 2021

68,102.18

<u>CHARGED</u>	<u>07/01/21 04/30/22</u>	<u>4/30/2022</u>	<u>Previous Balance</u>	<u>Total</u>	
USER CHARGES		230,749.39	976,196.24	1,206,945.63	
FEES		600.00	4,150.00	4,750.00	
SERVICE CHARGES		5,252.00	25,590.28	30,842.28	
BACKFLOW		5,995.00	5,170.00	11,165.00	
SUBTOTAL		242,596.39			
TOTAL CHARGES					1,253,702.91
					1,321,805.09
<u>RECEIVED</u>	<u>07/01/20 04/30/22</u>	<u>4/30/2022</u>			
USER CHARGES		165,383.60	937,405.54	1,102,789.14	
FEES		562.50	3,957.78	4,520.28	
SERVICE CHARGES		4,245.44	25,103.10	29,348.54	
LATE CHARGES		53.89	930.02	983.91	
BACKFLOW		5,060.00	5,182.77	10,242.77	
SUBTOTAL		175,305.43			
TOTAL RECEIPTS					1,147,884.64
SENT TO LIEN					22,337.31
LIENS COLLECTED					
ABATEMENTS					1,016.34
ADJUSTMENTS					19.99
AJD TO MASTER					
UNCOLLECTED					150,546.81
					1,321,805.09

OUTSTANDING:

USER CHARGES	146,948.78
FEES	362.50
SERVICE CHARGES	2,141.53
LATE CHARGES	159.00
BACKFLOW	935.00
TOTAL OUTSTANDING	150,546.81

11:22 AM
05/03/22
Accrual Basis

Townsend Water Department
Budget vs. Actual
July 2021 through April 2022

7.2.

	<u>Jul '21 - Apr 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Expense				
061.000 · General Operations 000				
061.001 · Personal Services 1				
5100 · Salaries & Wages-Water Super	71,647.70	102,600.00	-30,952.30	69.8%
5110 · Salary & Wages-Oper Staff	138,648.21	180,000.00	-41,351.79	77.0%
5112 · Salary & Wages-Support Staff	62,566.63	100,000.00	-37,433.37	62.6%
5120 · Wages - Temp. Help	6,832.50	12,000.00	-5,167.50	56.9%
5130 · Additional Gross	11,232.88	25,000.00	-13,767.12	44.9%
5134 · Additional Gross-Reg&SpecOncall	13,950.00	20,000.00	-6,050.00	69.8%
5190 · Other Stipened-Longevity	1,500.00	1,300.00	200.00	115.4%
5191 · Other - Stipend BOWC	0.00	3.00	-3.00	0.0%
5192 · Other-Certification/Stipend	1,500.00	3,000.00	-1,500.00	50.0%
5193 · Retirement Benefit	0.00	0.00	0.00	0.0%
5195 · Other-Clothing Allowance	600.00	600.00	0.00	100.0%
5197 · Vehicle Allowance -Super	7,538.47	6,000.00	1,538.47	125.6%
5198 · Snow Storm Stipend	0.00	0.00	0.00	0.0%
Total 061.001 · Personal Services 1	316,016.39	450,503.00	-134,486.61	70.1%
061.002 · Purchased Services 2				
5210 · Energy	74,569.07	100,000.00	-25,430.93	74.6%
5240 · Repair & Maint Building	18,380.82	50,000.00	-31,619.18	36.8%
5245 · Repair & Maint Equipment	12,710.55	40,000.00	-27,289.45	31.8%
5245006 · Repair & Maintain Equip SCADA	14,629.00	15,000.00	-371.00	97.5%
5245007 · Repair & Maintain-Distribution	0.00	0.00	0.00	0.0%
5270 · Rentals	1,140.00	1,700.00	-560.00	67.1%
Total 061.002 · Purchased Services 2	121,429.44	206,700.00	-85,270.56	58.7%

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July 2021 through April 2022

	Jul '21 - Apr 22	Budget	\$ Over Budget	% of Budget
061.003 · Purchased Services 3				
5300-02 · Proff Legal Expense	0.00	0.00	0.00	0.0%
5300 · Professional Services	97,354.54	85,500.00	11,854.54	113.9%
5300100 · Proff Service Backflow	9,800.00	10,000.00	-200.00	98.0%
5340 · Communication	14,607.96	23,000.00	-8,392.04	63.5%
5380 · Other Services	0.00	2,730.00	-2,730.00	0.0%
Total 061.003 · Purchased Services 3	121,762.50	121,230.00	532.50	100.4%
061.004 · Purchased Supplies 4				
5420 · Office Supplies	2,513.36	5,500.00	-2,986.64	45.7%
5430 · Building Supplies	118.00	2,000.00	-1,882.00	5.9%
5435 · Equipment Maint Supplies	0.00	0.00	0.00	0.0%
5460 · Groundskeeping Supplies	114.00	1,000.00	-886.00	11.4%
5480 · Vehicular Supplies	13,324.18	8,118.00	5,206.18	164.1%
Total 061.004 · Purchased Supplies 4	16,069.54	16,618.00	-548.46	96.7%
061.005 · Purchased Supplies 5				
5530 · Public Works Supplies	133,333.01	100,000.00	33,333.01	133.3%
5531 · Chemicals	11,971.21	26,000.00	-14,028.79	46.0%
5580 · Other Supplies	12.36	1,000.00	-987.64	1.2%
5585 · Clothing Allowance	2,568.28	6,000.00	-3,431.72	42.8%
Total 061.005 · Purchased Supplies 5	147,884.86	133,000.00	14,884.86	111.2%
061.007 · Other Charges & Exp 7				
5710 · Travel/mileage-in state	295.73	1,100.00	-804.27	26.9%
5720 · Out of State Travel	0.00	0.00	0.00	0.0%
5730 · Dues and Memberships	11,300.06	8,000.00	3,300.06	141.3%
5780 · Other Charges	0.00	525.00	-525.00	0.0%
5785 · Water Assessment D.E.P.	1,916.73	2,400.00	-483.27	79.9%
5850 · New Equipment	12,159.00	10,000.00	2,159.00	121.6%
Total 061.007 · Other Charges & Exp 7	25,671.52	22,025.00	3,646.52	116.6%

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July 2021 through April 2022

	<u>Jul '21 - Apr 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
061.008 · Articles 8				
5006-3 · West End-Main St Water Main	0.00	0.00	0.00	0.0%
5006 2 · Fitchburg Road Water Tank Rehab	0.00	0.00	0.00	0.0%
5890 · Hydrants	0.00	0.00	0.00	0.0%
Total 061.008 · Articles 8	0.00	0.00	0.00	0.0%
061.400 · Special Projects 400				
061-596 · Capital Project Fund- BAN	0.00	100,000.00	-100,000.00	0.0%
5012 · System Enhancement	22,228.45	51,217.67	-28,989.22	43.4%
5805 · Meadow Rd Main Replacement	0.00	0.00	0.00	0.0%
5895-20 · ATM 5/21 Main St-South St Loop	0.00	70,000.00	-70,000.00	0.0%
5895 · Main Line Gate/Valve Replacemen	0.00	0.00	0.00	0.0%
5902-18 · Main St Cleaning	0.00	0.00	0.00	0.0%
5925 · Water-Inte on Loans Main -West	0.00	0.00	0.00	0.0%
Total 061.400 · Special Projects 400	22,228.45	221,217.67	-198,989.22	10.0%
061.500 · Special Articles 500				
5000 · Water Oper Emergency Res Fund	0.00	0.00	0.00	0.0%
5005-18 · Update Master Plan	0.00	0.00	0.00	0.0%
5092-15 · Water-CIP-VFD&Elec SVS Pump	0.00	0.00	0.00	0.0%
5245-06 · Storage Tank Maintenance	1,058.92	1,680.40	-621.48	63.0%
54.60 · Prior Year Encumbrance	2,746.86	3,661.51	-914.65	75.0%
5780-20 · STM 7/20 MVP Grant	0.00	2,000.00	-2,000.00	0.0%
5803-19 · Generator 540 Main St	0.00	0.00	0.00	0.0%
5804-16 · Upgrade Witches Brook	0.00	0.00	0.00	0.0%
5804-17 · Witches Brook Repairs	0.00	0.00	0.00	0.0%
5804-22 · Witches Brook Well	13,846.00	0.00	13,846.00	100.0%
5805-15 · Water Meter Replacements	0.00	0.00	0.00	0.0%
5806-22 · Emergency Van	66,688.81	70,000.00	-3,311.19	95.3%
5809-17 · Highland Street Storage Tank	4,997.29	0.00	4,997.29	100.0%
5895-19 · Pump Station Bridge Replacement	0.00	0.00	0.00	0.0%
5895-21 · Witches Brook Daytank	0.00	0.00	0.00	0.0%

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	<u>Jul '21 - Apr 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
5902-15 · Water-CIP-Tank Mixing System	0.00	0.00	0.00	0.0%
590218 · STM ART Utility Billing	0.00	0.00	0.00	0.0%
Total 061.500 · Special Articles 500	89,337.88	77,341.91	11,995.97	115.5%
Total 061.000 · General Operations 000	860,400.58	1,248,635.58	-388,235.00	68.9%
061.009 · Debt Service 9				
5910 · Long Term Debt-East Side Phase1	38,729.00	40,000.00	-1,271.00	96.8%
5911 · Long Term Debt-East Side Ph 2	55,170.51	58,000.00	-2,829.49	95.1%
5920 · Long term Interest-Phase1	3,645.23	5,000.00	-1,354.77	72.9%
5921 · Long Term Int East Side Ph2	6,412.32	8,000.00	-1,587.68	80.2%
5925-01 · Int Temp Loans/Bond Iss Fee	0.00	23,000.00	-23,000.00	0.0%
Total 061.009 · Debt Service 9	103,957.06	134,000.00	-30,042.94	77.6%
062.000 · General Operations 00				
062.400 · Special Construction Projects 4				
5895-22 · Greeley Rd Upgrade	0.00	0.00	0.00	0.0%
Total 062.400 · Special Construction Projects 4	0.00	0.00	0.00	0.0%
Total 062.000 · General Operations 00	0.00	0.00	0.00	0.0%
063.400 · Projects				
5895-18 · West End-Water Main	0.00	0.00	0.00	0.0%
5895226 · Main St Well-Improvements	334,392.33	350,000.00	-15,607.67	95.5%
5895229 · Main St Well Completion	86,067.27	0.00	86,067.27	100.0%
Total 063.400 · Projects	420,459.60	350,000.00	70,459.60	120.1%

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July 2021 through April 2022

	<u>Jul '21 - Apr 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
064 · 400.000 Special Projects 5821 · PFAS Treatment Plant	<u>26,854.00</u>	<u>0.00</u>	<u>26,854.00</u>	<u>100.0%</u>
Total 064 · 400.000 Special Projects	<u>26,854.00</u>	<u>0.00</u>	<u>26,854.00</u>	<u>100.0%</u>
Total Expense	<u>1,411,671.24</u>	<u>1,732,635.58</u>	<u>-320,964.34</u>	<u>81.5%</u>
Net Ordinary Income	<u>-1,407,580.94</u>	<u>-1,732,635.58</u>	<u>325,054.64</u>	<u>81.2%</u>
Net Income	<u><u>-1,407,580.94</u></u>	<u><u>-1,732,635.58</u></u>	<u><u>325,054.64</u></u>	<u><u>81.2%</u></u>