

# **DENNIS WATER DISTRICT**

## *Board of Water Commissioners*

Minutes of Meeting held

January 16, 2020

A meeting, having been duly posted, was held this date at the Dennis Police Station, 90 Bob Crowell Rd., S Dennis and called to order by Paul F. Prue, Chairman at 6:00 PM. Water Commissioners Peter L. McDowell and Alan Tuttle was present. Also in attendance were David Larkowski, Superintendent and Sheryl A McMahon, Treasurer.

The Pledge of Allegiance was recited.

### **Public Information**

Mr. Tuttle said that he had been reviewing when several of the Town's departments had their meetings and noted that never get anyone at our meetings. He said he had ran into a couple of retirees recently who like to go to meetings and they asked why we don't have our meetings during the day. Mr. Tuttle thought it would be a good idea and requested that the Board place this on the agenda for the next meeting for discussion.

### **Fire Chief Mark Dellner – Announcement of Fire Insurance Rating**

Dennis Chief Mark Dellner wanted to take this opportunity to address the Board of the Dennis Water District and the viewing audience at home so that they have in excellent service in its Fire Department and that of the Water District. He noted that he has been the Chief here for fifteen years. When he came in 2004, he acknowledged the great partnership between the Fire Dept. and the District. We had a Class 4 fire rating back when he first started which wasn't bad at all. It is a scale of 1 to 10 with 1 being the best. A lot of communities are in the 4 to 5 range. One of the Department's goals was to lower that score down to a 3 and as close to a 2 as possible. In October, he was advised that the insurance Services Office (ISO) rated the Dennis community as a 2. He wanted to thank and commend the Dennis Water District for all of its work in helping the partnership make this come true for the community. It means excellent fire protection and public safety but, it also means is what we do is important for each other. In his previous positions, he recalled drawing a vacuum and not having water in the pumpers to extinguish fires. We never have that problem here. Dennis Water District is responsible for forty percent of the fire rating of the community. The Fire Department is fifty percent and ten percent is for communications. The rating not only means that it is safer but, property owners can contact their homeowners insurance companies and check with them on appropriate discounts for better fire-rated communities. It can also be significant for commercial properties. He was here tonight to thank the Board for its policy setting and for the administration of the District especially those employees who work in the street. He said that the two departments work very well together. When District employees show up on the job it is done right the first time and it is very much appreciated.

Chairman Prue asked where Dennis ranked in the state overall. Chief Dellner said there are 377 fire departments rated by ISO in Massachusetts. Seven are rated Class I, 21 (now including Dennis) are rated Class II, 92 are Class III and 257 are rated Class IV through X. Denis is therefore, rated in the top 5.6% of the state and the top 3.9% of the entire country. He felt the community should be proud of this rating. Mr. Tuttle noted that years ago, many companies would issue reductions in premiums especially commercial properties. He expressed his appreciation for the great job the Dennis Fire Department does. Chief Dellner said this was due to the commitment and policies implemented by the Commissioners who have served in other rolls like selectman, finance committee members, etc.

Chairman Prue acknowledged that although the fire rating might be a benefit to insurance rates, the key was the exceptional service provided to the community by the Fire Department and the Water District.

## **Review Final Draft of Personnel Policies and Procedures Manual**

Mr. McDowell said that he would like to shift directions and offer a couple of motions. He said there were a couple of things he has been very concerned about. Number one is that it seems we have been bickering back and forth what the words are and he wanted to shift a different way. He said that back in September the Commissioners voted to define certain things in the Personnel Policy and Procedures Manual and since that time we have been nickel and diming the words and so forth. Mr. McDowell moved: *that our Commissioner votes recorded during 2019 relative to the wording of our new Policies and Procedures Manual be hereby rescinded so as to provide time to establish the wording in compliance with the policies set by the District.* Mr. Tuttle seconded it for the purposes of discussion. Mr. McDowell said that we have had some trouble getting specifically an itemized list of instructions, of definitions, defining what the Clerk Treasurer does. He said we need to get back on this and not vote on it until we are totally accepted of what the wording in the entire manual when we finally reach that point. He was hopeful of an exchange back and forth on the wording but, the manual is very large and we are going to be living with it for a long time. He said there are a considerable number of pieces in there that he is distressed with and he preferred that we do it right. Chairman Prue asked how it has changed from the original one. Mr. McDowell said lots of things and we have never had a list of the responsibilities expressed in the document from the Clerk Treasurer, never.

Mr. Larkowski reviewed the action taken on Mr. McDowell's motions back in September and he believed they were followed in the Personnel Manual. Additional comments were made. Mr. McDowell said he would like prepare it and there are a number of changes that need to be done, and in his view as a Commissioner he cannot support what we have so far. He said he wanted every responsibility that the Clerk/Treasurer has listed, and it never has been. Ms. McMahan said that her job description was approved in January 2018 and that Mr. Tuttle requested that after the November meeting that the job descriptions be distributed. She said they were emailed to everyone.

Ms. McMahan said she was not sure of any other sections are of concern in the overall personnel code that we have not already been gone through by the Board. It was her professional opinion that the job descriptions did not belong in the Personnel Manual.

Mr. Tuttle said he was first elected back in 1976 and has set on many boards, and has never run across something that has taken up so much of our time and we are at square one. He said Mr. Lawton did a good job for what he did but, he was confused. He thought that maybe Mr. McDowell could give each of the Commissioners his intent and we could discuss this at the next meeting. Mr. McDowell said no. What he wants to do is he wants to see a list, he had never yet, since we have been into this thing all these months, seen a list identifying exactly what the responsibility of the Clerk/Treasurer is. Additional comments were made.

Mr. Lawton said that the manual is a guideline and you can put the list of duties in it or you could attach the job descriptions if you wish as an appendix. Mr. McDowell said that, in this manual, he wants to see what the responsibilities of the Clerk/Treasurer is. He also wants to define what the Superintendent's job descriptions are. Discussion continued.

Mr. McDowell asked the Chairman if he could reword his original motion, which had been seconded by Mr. Tuttle. Mr. McDowell moved: *that our Commissioner votes recorded during 2019 relative to the wording of the new Policies and Procedures Manual be hereby rescinded so as to provide time to establish the wording in compliance with the policies set by the District so that, and that, the wording be placed in our "Personnel Policies and Procedures Manual" which defines each of the primary responsibilities of the Superintendent and those of Clerk Treasurer. There shall be no reference to any position that does not exist within the District and each such specified responsibility shall be prime to either the Clerk Treasurer or the Superintendent but not to both.* Mr. Tuttle seconded for the purpose of discussion. Chairman Prue said he wasn't inclined to change anything that has already been adopted until such time as he sees what revisions may be. Mr. Larkowski asked for clarification from the motion: *"there shall be no reference to any position that does not exist within the District"* he asked what is that position? Mr. McDowell said it was the human resource officer. He said we don't have one. Chairman Prue said didn't we vote that? Mr. McDowell said then what's the person's name? Chairman Prue, Mr. Larkowski and Ms. McMahon all identified Ms. McMahon as serving as the human resource officer.

Mr. Larkowski said that the Board gave Ms. McMahon the responsibility of our human resource officer to implement and take care of the responsibilities to implement these things, keeping the records, dealing with the insurance, etc. Mr. Lawton responded by saying that it is a function of her job, it is not separate. Mr. McDowell said that he wanted to strike the words human resource officer, or whatever the title of such person would have and list them as Clerk/Treasurer. He said whatever the human resources officer's position responsibilities are should be listed as Clerk/Treasurer's because we don't have a person entitled human resource office. Mr. Lawton did say that it is in the job description, that's a function. Mr. McDowell; that's why we are striking it, because we voted it, we are undoing it, and letting the Clerk/Treasurer do that responsibility, which he thought was appropriate, it's consistent.

Additional discussion ensued. Ms. McMahon asked if there are any other sections that are need to be addressed. Mr. McDowell said yes. Those reasons why he wanted to do this in between the meetings so that the nickels and dimes so this kind of a debate need not take place. However, that it could be handled administratively and he wanted to have the Clerk/Treasurer and David put this stuff together, in correct form, which in his view it is not now. Chairman Prue said he would like to see in writing what changes and what you would like us do and them to do. Mr. McDowell said he would see a list of job responsibilities that she has to the District. Mr. Larkowski and Mr. Lawton both said it is the job description and we have that. Mr. McDowell asked it does include, it lists the specific responsibilities of the Clerk/Treasurer. Mr. Lawton said yes sir. Mr. McDowell said he would like to see that, that he hadn't seen it. Mr. Lawton said that perhaps it is the wording in Chapter 2 that there is a section on human resources director and that could certainly be changed to human resource function because that is part of the Treasurer/Clerk and just change that may be clarifying item. He said the work still has to be done and that has been assigned.

Chairman Prue then called for a vote on Mr. McDowell's motion. The Board **VOTED: 2-1-0 (P F Prue in the negative)**. Mr. Tuttle suggested that maybe Mr. McDowell could talk to the administration, out of a meeting, to see if we can get what he is looking for and what they believe is in there. He said he didn't know if we voted to; he said he knew we voted to do something with the title of human resource manager at some time and he didn't remember exactly what. Based on his experience, generally a company the size of ours didn't have anybody who had that title but, they did all the work, no question about it. When it got to larger companies we used to insist that they have it but, small

companies we didn't. As he had said previously, we have spent so much time on this, maybe Mr. McDowell speaking with the administration can get whatever everybody wants so we can move on finally.

There was additional discussion but, no further votes were taken.

## **Update on Compensation and Benefit Study by Robert Lawton**

Mr. Lawton provided a cover note on the work that was done to see where the District fits as far as salaries and wages. The large spreadsheet showed the comparison with other districts and towns. A schedule of classifications was updated and provided. The last time it was updated was in 2006. The final document was putting in writing how a person working in the field when they secure additional licenses how they would be compensated for those licenses. He said he thought they were very valid because they increase the professionalism of the staff. He said that on the clerical positions and field positions there are some adjustments to be made to the salary ranges. In addition, he looked at the Superintendent and Clerk/Treasurer as far as the salary range. He thanked Mr. Larkowski and Ms. McMahon for all of the work they did with him on this because with some of the positions, when they were being compared everyone had different job descriptions and different titles. They were helpful in identifying what a person does, especially in the field. Chairman Prue said our people do things that other people don't do in other places. Mr. Lawton agreed and said that is why the department heads were helpful. He said they do more. This will provide a better range and it is justifiable. There were no further questions of Mr. Lawton. Mr. Larkowski said he would be happy to help work on the revision at no charge. Mr. Lawton suggested that it may be as simple as attaching the job descriptions rather than trying to word smith some of the specifics. Mr. McDowell said the list of responsibilities, the jurisdiction of who decides what and the clarification, and we don't have that.

## **Consider Payroll for FY 2021 Budget**

Ms. McMahon said that the reason we invited Mr. Lawton in was to conduct this independent by capturing the external data. She suggested that at some point, we would like to have the Board adopt the pay schedule so we know that this is the parameter and the Board has the documentation. She said they had based their fiscal 2021 wage recommendations based on what they had learned through the wage salary survey. Mr. Larkowski asked to review the presentation and proposed wage salary survey. When the survey was completed, we found the pay scale used was outdated. Other departments on the Cape were asked about their job descriptions and pay rates. Harwich, Mashpee, Brewster, Yarmouth, Centerville-Osterville-Marston's Mills and also National Grid and obtained a 2016 copy. They were unable to obtain information from private contractors. He did obtain a survey done by Mass. Water Works Assoc. It contained only 80 suppliers responded out of 350. It covered a number of aspects. In his opinion, the District fell from middle to low in the pay ranges. He said that so many departments reported that they contracted out work from 50% to 80% whereas the District does 100% of the work ourselves. Mr. Larkowski distributed a proposed classification wage scales for District employees. They needed to be adjusted in response to the survey. He said that he likes to hire laborers and then teach them everything they need to know. If they obtain a license then they become at System Maintenance I and additional licenses are reflected in wage range for the classification. He said that we have combinations of positions such as operator/foreman. Then there are Station Maintenance staff that

take care of the treatment stations, pumping equipment, filter plants. They can obtain licenses for Treatment with different categories. There is a primary operator which is a key position for the treatment side. He reviewed the office staff. The survey found what the ranges should be. The Board reviewed the FY 2021 proposed payroll. In many cases, some of the newer and younger employees are at the very low end of the range. Those that have had 15 to 20 years with the District are at the higher end of the range. Employees that were not in the pay scale they thought they should be and increases were being recommended. Mr. McDowell asked if it was being proposed that in other municipalities the same job was making more money and Mr. Larkowski wanted to bring them up to those standards.

The Superintendent reviewed the survey data with the Board. Mr. Larkowski said that the individuals noted are being increased in order to get them into the range. Administration is proposing a \$.75 per hour cost of living adjustment (COLA) for all other staff. Historically, the annual COLA was based on Social Security's annual COLA. Mr. Larkowski reviewed a wage premium incentive program for staff to acquire drinking water and treatment licenses. For probably more than twenty years, the increase was the same for all licenses, 50 cents per hour. His proposal is to have a wage incentive starting at \$1 (per hour) for Grade I licenses, and increasing it to \$1.50 for the second license and \$2.00 for third and \$2.50 for fourth. This incentive would apply to license obtained by employees in accordance with their job classification. Licenses can be obtained in other areas but, the incentive would be limited to 50 cents per hour such as machine operator, backflow, etc. Mr. Larkowski wants to have the younger staff get training and licenses. He also wants the more senior staff to get additional training and higher licenses. He also would like to see employees get their hydraulic and commercial drivers' licenses. He said it makes crews much more flexible when on the job site if more than one person is licensed to operate and move equipment. He asked the Board to consider adopting the proposed pay scale and the wage premium incentive program. He suggested that there may be a rush of people on the fence about getting a license.

Ms. McMahon noted that the currently proposed scale is timely for FY 2020. In the future, the wage scale would be adjusted annually in accordance with any COLA that would be approved by the Board. This would keep the wage scale up to date. The wage scale provides a range and it does not provide for annual steps. Administrative staff, in some cases was below what the lowest pay scale of some. She said she did not want to lose her staff to another community because they pay more.

No votes were taken as this was an introduction of the findings of the salary survey and a preliminary review of the FY 2020 payroll. There was a consensus to have an additional Board meeting in the second week of February for primarily budget review.

Mr. Larkowski distributed a Long Range Projection that had tentative payroll and operating and maintenance budget numbers plugged in. Based on current water rates, there would be a budget deficit of just more than a \$1 million. The Board was reminded of the need for just under \$50,000 from Free Cash for FY 2020 to balance the operating budget. The current water rates were set in FY 2009. Ms. McMahon reviewed the Long Range Projection for FY 2021 with the Board. Relative to debt, Ms. McMahon said that if the land purchase and the painting of the Rte 134 tank are approved, she would be recommending bond anticipation notes and paying 10% of the annual principle down. Unless there was a dramatic increase in the interest rates, it would be less interest cost on short-term notes and not the expense of issuing long-term bonds.

Ms. McMahon is proposing that the annual normal cost of Other Post-Employment Benefits be funded as an operational expense. The funds would be moved to the OPEB Liability Trust Fund. Ms. McMahon reviewed the overall revenues assessed and collected by the District. The current projection leaves an operational deficit of just over a \$1 million. She said additional data will be provided for the Board's consideration. She was hopeful the rates would be set that would accommodate the long range projection based on the five-year averages. There was one year the District had a revenue deficit of over \$200,000. Fortunately, the summer pumping gives an early indication how close it is to the average and if a deficit is anticipated, there is enough time left in the fiscal year to adjust spending to accommodate the shortfall.

### **Consider designating representatives to the Cape Cod Municipal Health Group (CCMHG) Board of Directors and approving disclosures.**

Mr. Tuttle has sent an email announcing that he would not be able to fill the role of the District's primary representative to the CCMHG. Ms. McMahon said that she has filled that role for more than twenty years and would be happy to continue serving. She said the Board would also need to revote an alternate. She also requested that the Board authorize the Chairman to sign the recommended financial disclosures. On a motion made by Alan Tuttle and duly seconded, the Board **UNANIMOUSLY VOTED: *That as appointing officials of the Clerk/Treasurer and the Superintendent, as required by G. L. c. 268A, § 19, the Board of Water Commissioners has reviewed the particular matter and the financial interest identified above by these municipal employees and determine that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Dennis Water District may expect from these employees. And further, to authorize the Chairman to sign the Disclosure Form.*** On a motion made by Alan Tuttle and duly seconded, the Board **UNANIMOUSLY VOTED: *To appoint the Clerk/Treasurer as the District's representative to the Board of Directors of the Cape Cod Municipal Health Group and to appoint the Superintendent as the alternate representative.*** It was noted that the appointment does not have a term but, the Board can rescind and revote the appointment at any time.

### **Review Letter to Board of Selectmen Regarding Recommendations on Vacant Town-Owned Property.**

Mr. McDowell said he had some thoughts about it but, was pretty much satisfied with the letter to the Town Administrator following the Board's review of town-owned property. He said he was uneasy about having some of our land just being disposed of for reasons other than what we hold them for now. Ms. McMahon said that the Town released the list seeking recommendations from community organizations and town committees. The Board, when they reviewed, only considered those parcels that were within the Zone II of contribution and those were the recommendations that were transmitted in the letter to the Town.

### **Request Reserve Fund Transfer for Land Acquisition Expenses**

Ms. McMahon advised the Board that this was pertaining to the acquisition of property off Hokum Rock Road [Amber Way]. She said that available funds in a long standing appropriation for Land Acquisition costs has been exhausted. She said that expenses to date are slightly more than \$13,000 and requested a Reserve Fund Transfer of \$27,000 for the legal, surveying, title insurance, etc. She

said that whatever is not expended will be returned to Free Cash by the end of the fiscal year. On a motion made by Alan Tuttle and duly seconded, the Board ***VOTED 2-0-1 (PLM abstain) to transfer \$27,000 from the Reserve Fund to pay for Land Acquisition Expenses incurred.***

## **Superintendent's Report**

**a) Award of Grant for Emergency Lighting** The Superintendent applied for a grant for safety emergency lighting similar to the kind one would see used for highway work at night. It included a small generator, large lights, etc. He said this would be great improvement over reliance on headlights and lights on machines that are actually moving around and it isn't safe. Mass Interlocal Insurance has awarded a grant of \$7,900 and anticipates receiving it by the end of the February.

In terms of pumping, the District did 1,100,000 gallons. The District is permitted for 1,189,000. It is an average year. Ms. McMahon stated that if the budget is based on revenue that is calculated on a five-year average and the average is what is billed, then it shouldn't be generating a lot of excess revenue.

## **Treasurer's Report**

**a) Update on Server and Computer Upgrades** The computer server has been replaced in November, the old one is still operational. The accounting system, water billing and meter reading system were all transferred to the new server. Some of the user shares and emails are still on the old server. In the next two weeks, she is hopeful that the email server will be moved to the cloud where she anticipates less cybersecurity issues. She explained that the GIS mapping, while the mapping is done in house, the work order and account data links are all in modules in the cloud now.

The solar revenue for FY 2019 was updated and distributed. She had been made aware that there is some maintenance and repairs are being done on the solar panels and equipment which is the obligation of the contractor.

She advised that the meter reading cycle for the February billing is nearly complete. Staff will be doing work orders for misreads and to make repairs for the next reading cycle. She anticipates that the bills will have a date of February 11. She stated that in this billing cycle the Consumer Confidence Report is included. Newsletter will also be included with the bill.

## **Minutes of August 22, September 26 and November 21, 2019**

On a motion made by Alan Tuttle, and duly seconded the Board ***UNANIMOUSLY VOTED: to accept the minutes of August 22, 2019.***

On a motion made by Alan Tuttle, and duly seconded the Board ***UNANIMOUSLY VOTED: to accept the minutes of September 26, 2019.***

On a motion made by Alan Tuttle, and duly seconded the Board ***UNANIMOUSLY VOTED: to accept the minutes of November 21, 2019.***

**Executive Session:** On a motion made by Alan Tuttle and seconded by Peter L. McDowell, the Board **UNANIMOUSLY VOTED:** *In accordance with Mass. General Law Ch. 30A, Sec. 21(a) Reason #6: to discuss the purchase, exchange, lease or value of real estate for the purpose of watershed protection as the Chair had declared that an open meeting may have a detrimental effect on the negotiating position of the District and further not to return to open session. The roll call vote was as follows:*

*Alan Tuttle – “aye”*

*Peter L. McDowell – “aye”*

*Paul F. Prue – “ayes*

At approximately 7:45 PM, the Board adjourned their open session to conduct their Executive Session.

Respectfully submitted,

Sheryl A McMahon, Clerk