

LINCOLN WATER COMMISSIONERS

January 10, 2018

Regular Meeting

The regular monthly meeting of the Board of Water Commissioners was held at the Lincoln Town Hall with Commissioners Eric Fox, George Hadley, Julie Labreche and Louis Long present. Also present were Water Superintendent Romeo Mendes and Anna Nascimento. Patricia Fox was the only member of the public present.

The meeting was called to order at 6:03 p.m.

Organization of the Board

- a. Regular Monthly Meeting Schedule for 2018

Motion to approve the regular monthly meeting schedule for 2018 passed unanimously. (EdF/JL)

PUBLIC COMMENT –None

CONSENT AGENDA

Motion to approve the consent agenda passed unanimously. (GH/JL)

The following items were approved with the consent agenda for the January 10, 2018 meeting:

- December 13, 2017 Regular Meeting Minutes
- Capital Accounts – December 2017
- Abatements – December 2017
- Account Transaction Report – December 2017
- Correspondence

The meeting returned to the regular order of business.

SUPERINTENDENT REPORT OF DAILY ACTIVITY

Superintendent Mendes relayed that his only comment was in regards to radio read a program. The Commission is within a 100 to 150 units of having the entire Town with radio read capability and is now at the point that it can start to evaluate reading equipment to enable capture of water meter readings for the entire Town in one day. Secondly, water sales are holding steady compared to prior similar periods. The field crew is busy completing odds and ends which were put off during the construction season. We will have a demonstration of new reading equipment on the January 17th facilitated by a representative of TiSales and any findings will be relayed at the next meeting. That is all I have. Chairman asks any questions on the Superintendent report.

Motion to accept the Superintendent's report passed unanimously (GH/EdF)

MONTHLY FINANCIAL REPORT

Motion to accept the expenditure and revenue report for the month of December 2017 passed unanimously (JL/EdF)

Motion to send the December 2017 financial status report summary letter to the Town Finance Director passed unanimously. (EdF/GH)

OUTSTANDING BALANCE REPORT

Motion to accept the December 2017 account balance report passed unanimously (GH/JL)

CAPITAL ACCOUNTS

The capital Accounts report for December 2017 was passed with the Consent Agenda and will be placed on file.

MONTHLY INVOICES

Motion to pull Larry's Auto Repair from the payments passed unanimously (JL/GH)

Motion to approve payment of the December 2017 Accounts Payable in the amount of \$167,660.13 as well as Direct Payments in the amount of \$483,023.19 passed unanimously. (JL/GH)

Motion to pay Larry's Auto Repair passed unanimously (JL/GH) Commissioners Edward Fox and Eric Fox abstained from that vote.

ABATEMENTS

Monthly Abatements were passed with the Consent Agenda and will be placed on file.

ACCOUNT TRANSACTION REPORT

The Account Transaction Report was passed with the Consent Agenda and will be placed on file.

CORRESPONDENCE

- a. Local Union 1033 Dues Increase
- b. ISO Insurance Classification – Quinville Fire
- c. ISO Classification – Lime Rock Fire

UNFINISHED BUSINESS

- a. Earl Street Watermain Replacement Project Closeout – Payment of Retainage

Superintendent Mendes relayed that item 10a is just a Closeout of the Earl Street Watermain Replacement project. The agreement that we have in place with the contractor is that 5% of the bid amount was to be withheld until Lincoln Water Commission was satisfied that the project has been

completed to his entirety. We have gone over the project area and determined that any outstanding items have been completed. I would recommend payment of retainage in the amount of \$19,484.90. Commissioner Fox inquired as to how an issue with the now interred water main would be addressed. Superintendent Mendes explained that the work is warranted for a year.

Motion to pay accumulated retainage of \$19,484.90 for the Earl Street Water main Replacement project passed unanimously. (JL/EdF)

b. Albion Tank Site Soil Remediation Status Update

Superintendent Mendes relayed that he simply wanted to give a verbal update on the Albion tank site contamination. The Commission received an approval of its Remediation plan for the site which basically entails removal of approximately 18" of soil around the base of the tank, replacement with non-impacted soil and revegetation. The Department Environmental Management approved the Remediation plan at the end of November and required that remediation work begin within 60 days. Unfortunately, frozen soil will prevent the Commission from initiating the project. They agreed that the work could only begin was the impacted soil had thawed. The Commission anticipates using its own Backhoe Operators with the proper safety equipment to remove the impacted soil for proper disposal while placing new material and grading the site. The only part of the work that may be somewhat involved is remediating a manmade drainage swale that has been classified as a natural water way. A contractor specializing in that type of work may be required to complete same.

NEW BUSINESS

a. Adoption of Revised Lincoln Water Commission Controlled Substance and Alcohol Testing Policy for Employee – CMV Drivers

Superintendent Mendes relayed that Adoption of a Revised Lincoln Water Commission Controlled Substance and Alcohol Testing policy for our Commercial drivers was required. The changes were due to a federal mandate indicating new substances highlighted on the paperwork provided to be tested for. The changes are to the Cover Page and Pages 15 and 20 which list substances to be tested for. The changes have been made in the Commission's present plan and require formal adoption by the Board of Water Commissioners. Chairman Fox inquired if the new testing requirements were put in place by the US Department of Transportation. Superintendent Mendes replied yes, the US Department of Transportation has specified that these will be the testing requirements going forward. Commissioner Hadley remarked, so if any operators have Doctor's notes, let's say for use of Hydrocodone, they would have to have some type of exemption. Superintendent Mendes replied that was his understanding. Commissioner Hadley asked if the field operators were familiar with the new requirements. Superintendent Mendes answered yes. Commissioner Long posed a similar question. If a driver is prescribed Codeine, what then. Superintendent Mendes replied that they would have to make that known prior to giving a sample. Chairman Fox inquired how testing worked. Superintendent Mendes replied that operators are randomly selected and an outfit in New Hampshire called Occupation Drug Testing makes an appointment with me to come and collect required samples. The operators are not aware of testing until the day they are required to give a sample. Results are reported to me or Lewis

Prescott and then relayed to the operator. Chairman Fox stated, so if someone came to you and said he was taking oxycodone for pain, he would tell you and you would have to notify them and say it was a medical prescription. Superintendent Mendes relayed yes. Chairman Fox asked if adoption of the new policy was required now. Superintendent Mendes replied yes.

Motion to adopt the Revised Drug and Alcohol Policy passed unanimously. (EdF/GH)

b. Evaluation of ADP as the Commission's Payroll Processor

Superintendent Mendes relayed that item 11b was for the Board's information only. We did have ADP approach us about a number of human resources needs, primarily payroll. Anna and I took the time to listen to their presentation including costs. Our determination was that payroll could be done more efficiently and at a lower cost, approximately \$30 a week less, so 30 times 52 would be our savings and my initial determination is to make the change to ADP. Chairman Fox remarked that Paychex had recently completed our handbook, does ADP do the same. Superintendent Mendes replied yes they do. Chairman Fox stated, so if they can update same for any new policies. Superintendent Mendes replied yes and as far as we know there is no cost to update the handbook. Commissioner Hadley questioned whether or not it was possible to print individual pages for the handbook as opposed to the entire book. Superintendent Mendes explained that ADP had already recommended that each employee had access to the handbook electronically to facilitate incorporation of changes. The only part that would still be paper is last page which is signed by the employee acknowledging receipt and intention to comply with all policies within. Commissioner Hadley remarked that there must be a way to sign electronically as well. Superintendent Mendes added that one of the main benefits is being able to input payroll directly as opposed to calling in to Paychex each Wednesday morning. Anna does not have to call in payroll each Wednesday morning to Paychex. Chairman Fox stated ok.

c. Process for Evaluation of Candidates for Position of Foreman

Superintendent Mendes stated that at the last meeting the Board requested that staff generate a list of candidates for the position of Foreman in anticipation of evaluating same for an eventual vacancy in September 2018. That list has been generated and is in your packets as item 11c. Next steps would be to decide how the Board will evaluate the candidates and exactly how training will occur. He would ask that the Board let him know how to proceed at their earliest convenience. Commissioner Hadley stated that there was a discussion on the matter last month and in his personal view does not feel that the Commissioners should interview these individuals. He believes that the Superintendent, the Assistant to the Superintendent and existing Foreman should do the evaluation and make a recommendation to the Board.

Chairman Fox relayed that he had a couple comments on the matter. Personally, he would evaluate qualifications and all things being equal eventually fill the position with the individual having the greatest seniority when and if there is an actual vacancy. He feels that an evaluation process should be undertaken but that if it were decided to proceed with formal interviews same should be conducted by an impartial group as specified in the current collective bargaining agreement. His concern is that the letter received from the Foreman still does not state when he is going to retire. The Foreman's letter

uses the terms “barring any unforeseen circumstances” and basically provides no certainty regarding the existence of a vacancy. The exact language is that “he plans to work through the 2018 construction season and barring any unforeseen circumstances will officially retire in September”. His last day of work will be September 14, 2018. To me that vague. Superintendent Mendes relayed that is a fair assessment. Chairman Fox explained that it was his belief that the Foreman was not saying that the situation describe would occur but it was left open. That being the case he reached out to Town Solicitor Anthony Desisto for some guidance and he concurred that the notification offered the very real possibility that the current Foreman may not retire. It appears to him according to Section C13-5 of the Town Charter that an impartial interview Board should be assembled as specified in the current collective bargaining agreement due to the fact that this position is not vacant now and it might not be vacant according to this letter. Commissioner Hadley stated that he would like to see a Board policy established that would be followed for the current as well as any future vacancies.

Chairman Fox relayed that the Board of Commissioners had the ability to conduct interviews if it chose but he would suggest assembling the impartial panel as detailed in the current CBA and filling the position only when same was actually vacant. Chairman Fox added that his main objective was to let the person selected know that he/she would be filling this position once it was vacant and would be afforded the opportunity to return to his /her previous position if there was no vacancy or they changed their mind for some reason. Chairman Fox relayed that each interested applicant’s qualifications would be evaluated and at the end of the day the decision would most likely be made based on seniority. Chairman Fox concluded by stating that if the Commissioners had no objection, he would meet with Superintendent Mendes and Foreman Jean Gagnon this upcoming week to discuss the particulars of how to proceed and an actual vacancy date respectively. There were no objections and Superintendent Mendes indicated he would wait to hear from the Chairman.

- d. Any other business that may properly come before the Board - None

CLAIMS

- a. None

NEWS ARTICLES –

- a. None

EXECUTIVE SESSION –

- a. Legal Opinion Regarding High Impact Fee Assessment – Old Jenckes Hill Road

Motion to seal the minutes of Executive Session according to RIGL 42-46-7(c) passed unanimously.

ADJOURN

Motion to adjourn passed unanimously. (GH/LL)

There being no further business before the board the meeting adjourned at 7:14p.m.