

**Littleton Light and Water Departments
Board of Commissioners Meeting
Minutes – November 17, 2004**

Present for the meeting:

Commissioners: Bruce Trumbull, Joe McCumber, Joe Cataldo

General Manager: Savas Danos

Assistant General Manager: Scott Edwards

Staff: Kevin Goddard, Jerry Young, Tom Taylor, John Lanciani, Jennifer Pederson

Meeting called to order: 7:18 PM

General

- 1) Approve Agenda -- GM Danos requested two additions to the agenda. Under Updates) Substation Incident. Under Water, New Business, 4) Proposal Forced Sewer Main Management. Commissioner McCumber requested one addition, Under Electric, New Business, 4) Future Mutual Aid Discussion. The Board unanimously approved the agenda as amended.
 - a) Approve Minutes – October 20, 2004 – Jennifer Pederson requested one change in the minutes, Under General #5) the words Executive Session should be struck. A motion was made by Commissioner Trumbull and seconded by Commissioner Cataldo to approve the minutes as amended. **The Vote: Trumbull—Yes, McCumber—Yes, Cataldo—Yes.**
- 2) Discussion of recent IG Request – Danos informed the Board about the latest request for information from the Inspector General (IG). He stated that a lot of what is being requested was already hand delivered to the IG's office and information from 1998 was pulled out of storage and will be forwarded to him. Danos stated that his attorney was concerned that the recent letter was addressed to Danos and not to the Board; Danos stated he felt the IG's request to him was more because he was the last to correspond with him. Danos stated that his attorney suggested the Board of Commissioners authorize him to participate in the inquiry given the potential for civil penalty. PR Manager Goddard further elaborated on the legal reasoning behind the letter protecting Danos, given this inquiry was addressed directly to Danos rather than the Board. Danos asked the Board to review the letter that Goddard drafted authorizing Danos to participate; the letter has also been reviewed by his attorney. Commissioner McCumber stated that he was uncomfortable that Danos sent a letter back to the IG without the Board knowing about the request. Danos stated that in the future he would forward the information to the Board as soon as he receives it. Commissioner Trumbull stated that he did not think the Board could interfere with Danos' Fifth Amendment rights given that the letter was addressed to Danos. Commissioners Cataldo and McCumber stated that in that case, the reply should not have gone on department letterhead. Commissioner McCumber stated that he wanted the letter to the IG to state that all future inquiries should be addressed to the Board. The Board stated Danos should consult with his lawyer again for his personal issues and that the Board should have Town counsel also review the letter. The Board said that they would deal with the issue of authorization later. Commissioner Trumbull questioned

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whether the Board could ask Danos to compile information without the Board reviewing it; Danos stated that it was the fifth package that we have sent and that it is all Department information. Goddard stated that by sending the package before a letter goes from the Board authorizing his participation, Danos would be waiving his rights. Danos stated that he had no problem with the letter proposed and that he did not want to delay getting the information to the IG.

- 3) Employee Updates:
 - a) Step Raise – Dave McGloughlin – Water Dept.—The Board approved as presented.
- 4) Upcoming Meet Schedule :
 - a) Town IT – Fin Com – Nov.30th – Danos stated that the meeting would focus on the need for the Town to fulfill their obligation and fund capital improvements. Danos stated that if they did not, O&M costs were going to rise to a point where the Board of Commissioners might have to rescind the agreement.
 - b) Board Meeting – Dec. 15th
 - c) Special Town Meeting – There should be a meeting after the first of the year.
- 5) Letters – The Board reviewed without comment.

ELECTRIC LIGHT DEPARTMENT
Action Items/Recommendations

New Business

- 1) Stray Voltage Update – The Board reviewed the memo from AGM Edwards on stray voltage. Commissioner McCumber asked if findings were subject to change based on weather conditions. AGM Edwards stated that they do have to test during different conditions, but that he did not feel it was an issue.
- 2) Switching Order Procedures – The Board reviewed a memo from AGM Edwards regarding formalization of the switching order procedures. Commissioner McCumber stated that it made sense to him. Danos stated that as the system gets more complex it is important to have another person review it. Commissioner McCumber noted that the procedures allow someone to open a breaker in an emergency. AGM Edwards stated that an emergency is considered a fire or line across a car or road, not just an outage. Commissioner Trumbull asked who the people are who can approve a switching order in an emergency situation after hours. AGM Edwards stated that there is always a supervisor on call; Danos stated that would be AGM Edwards, John Driscoll, Nick Lawler, and Gil Finch. Trumbull stated that the people who are giving the order to switch should have some new safety awareness or training. Danos stated that in most cases the procedures are being followed and that it is really a “checks and balances.” AGM Edwards stated these procedures were not necessarily just for safety, but also for reliability. Commissioner McCumber wanted to make sure

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that everyone who is authorized is technically capable; AGM Edwards stated that they are all trained in writing, calling and executing switching orders.

- 3) Bucket Truck Update – The Board reviewed without comment.
- 4) Mutual Aid Discussion – Commissioner McCumber stated that the Board should discuss policies or thoughts on how to handle mutual aid in the future and possible liability issues. Danos stated we would schedule a discussion after the first of the year. AGM Edwards stated that APPA initiated a conference call to discuss a national contract so that everyone will know what is expected before responding.

Financials

- 1) Financial Highlights Reports -- Danos stated that the PCA is ahead of schedule because of the early PCA adjustments and staff is discussing whether we need to realign the rates. Commissioner McCumber asked if we were overcollecting because the PCA is high and the rates are low; Danos stated yes. Commissioner Cataldo asked when we would be making changes and Danos stated that the analysis is going on now and that it would probably be after the first of the year. Commissioner Cataldo asked if we were going to finish the end of the year where we expected and Business Manger Young stated we would. Commissioner McCumber asked if there were restrictions on how much you could change your PCA; Danos stated there were not.
- 2) Cash and Sales Reports – Danos stated that operating revenue is 18.9% and collections are 18.8% and that at the end of the year we would have to take from depreciation to balance. Danos stated that we were cash neutral despite an aggressive year in capital improvements. Danos stated that October was up 5%.
- 3) Rate of Return Reports – Danos stated we were projecting a 3.5% rate of return and the Board had wanted it to be between 2-4%.
- 4) Budget Recap – Danos stated that we were at 84% of the year and 85% of the budget.

Power Supply:

- 1) Littleton Energy Growth Chart – The Board reviewed the chart compiled by MMWEC; Danos noted that through September we still show increases above the rest of New England, however, in September we were lagging behind the rest of New England.
- 2) Wind Power Contract Addendum/Update – The Board reviewed a contract addendum to the Wind Power Generation Feasibility Study to create photographic visualizations of the two wind turbine generator scenarios. Danos stated that he felt this was important to show the visual impact in different parts of Town. He stated that these photos will be important for the Board to see if the turbines will be acceptable. Commissioner McCumber asked how much we have paid Rich Gross so far; Danos stated that it was \$10,000. On a motion

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made by Commissioner Trumbull and seconded by Commissioner Cataldo, the Board voted to approve the contract addendum in the amount of \$3800.00 to Richard C. Gross to create photographic visualizations of two alternative wind turbine generator scenarios. **The Vote: Trumbull—Yes, McCumber—Yes, Cataldo—Yes.**

- 3) Power Supply Report – Sept. – The Board reviewed without comment.

Quarterly Updates – Commissioner McCumber asked AGM Edwards how the contract negotiations with MMWEC were going. Edwards stated that it was in the final draft form and it will go to the Bond Counsel, then to the Board of Commissioners of Littleton and West Boylston and then MMWEC will vote on it.

**WATER DEPARTMENT
Action Items/Recommendations**

New Business

- 1) RFP Review – Modification of Overlay District Zoning – Danos stated that the zoning regulations are due for modifications and that we need to look nationally for how new technologies are being used. Danos provided the Board with a proposal for services from CDM. Commissioner Cataldo asked Danos to get two more proposals for the project. Commissioner Trumbull asked why the Water Department was paying for the \$20,000; Danos stated that the bylaws need to be reviewed and that no other department was going to take it on. Danos further stated that we would be applying for a grant to cover part of it. Commissioner McCumber asked if there would be any conflict with Commissioner Cataldo's project; Danos stated that it did not because it will not deal with 40B regulations, but with the overlay district and title V regulations. The Board will revisit when they receive the additional quotes.
- 2) Educational Support NE Forestry Foundation – The Board reviewed the letters from Danos regarding courses he will be involved in at NEFF.
- 3) Proposal of Forced Sewer Main Management – The Board reviewed the draft of the proposal and Commissioner Cataldo asked why Danos wanted to get involved. Danos stated it was to protect the Highway and Water Departments from being forced into dealing with it operationally. Danos stated it was important to make sure all the contracts were in place and that it is managed properly; it will also give the Department the opportunity to get involved in sewer systems. Commissioner Cataldo stated that over the years many members of the Board have championed our involvement in a sewer system. Danos stated that it would be similar to the cell tower management. Commissioner Cataldo asked if staff would have to be trained in wastewater; Danos stated we would not because the certified operator of the system would be trained. Commissioner Cataldo asked if we still should train the staff; Danos

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stated it would be a contract negotiation issue and that he did not believe the operations crew wanted to be wastewater operators. Cataldo asked Tom Taylor if that were true and Taylor responded that he and the other five guys had no interest in being wastewater operators. Danos asked the Board for permission to collect the information. Danos stated it would need to be revenue neutral for the Water Department. Commissioner McCumber asked Danos to define what his time would be in the management and said we may want to consider charging the Town some fee.

Financials

- 1) Sales Report through October, 2004 – Danos stated there was a mistake last month on non-billable accounts being added into residential usage. Danos stated that we are showing 4% growth.
- 2) Budget Summary through October -- The Board reviewed without comment.

Quarterly Updates: -- Commissioner McCumber asked what the sanitary seal was on the well; Danos stated that it prevents air and water from getting into the well. Commissioner McCumber asked how long it had been leaking; Danos stated that it was leaking outward and that it had been temporarily fixed and this was the permanent fix. Commissioner Cataldo asked how the sampling was going; Danos stated it was going very well and that one-half the Town was sampled every two weeks.

With no further business before the Board, on a motion made by Commissioner Cataldo and seconded by Commissioner Trumbull, the Board voted unanimously to adjourn the meeting at 8:41 PM. **The Vote: Trumbull – Yes, McCumber - Yes and Cataldo– Yes**

Respectfully submitted,

Savas C. Danos

Date

Approved: March 16, 2005