

Commissioners

Robert E. Corey

William L. Morin

Chairman – William “Zee” Zielinski

Michael Sheu

Superintendent

John M. Hudzik

Field Service Manager

Primary Distribution Operator

Debra H. Vinal

Treasurer

MINUTES

DECEMBER 12, 2017

The meeting was called to order at 6:00 PM

PRESENT:

Commissioners William Zielinski/Chairman, Robert E. Corey/Vice-Chairman and William L. Morin. Superintendent Michael K. Sheu, Field Services Manager John Hudzik, Treasurer Debbie Vinal, District Counsel Arthur C. Sullivan Jr. and Roland L. Milliard, and Secretary Jayne Boissonneault

MINUTES:

Commissioner Corey made a motion to accept the minutes of October 11, 2017 as presented. Seconded by Commissioner Morin. Motion passed unanimously.

The Commissioners agreed to table acceptance of the November 15, 2017 minutes to the next meeting.

APPOINTMENTS:

Community Input:

None

The Commissioners agreed to take the agenda out of order to address the bids for Well #3 Replacement.

Tyngsboro Well Fields Well #3A Replacement Bid:

Kevin MacKinnon, Senior Technical Leader, Water Resources for Weston & Sampson was present at the meeting to provide the Board with a report on the bids received, and to request that the Board consider increasing funds for this project by \$189,000. Mr. MacKinnon informed the Board only two bids were received, both of which included the same driller, and both of which came in over by more than \$100,000. Mr. MacKinnon explained it has been a year since the project was approved, and costs have increased by approximately 30%. This, coupled with the decision to increase the size of the main from 18x12” to 18x24”, has driven the cost of the project up considerably. Discussion ensued relative to re-bidding the project. Mr. MacKinnon stated the District would likely save

Tyngsboro Well Fields Well #3A Replacement Bid (Cont'd):

little if any money by re-bidding the project and that it would set the project back considerably in terms of time. Mr. McKinnon reported he spoke with a representative from DEP and they expect to be reviewing the project this week. If the Board approves the additional funding, the project should begin in January with well construction, followed by several weeks of development. The Commissioners requested Mr. MacKinnon highlight the section in the bid specifications outlining the time frame for the project and send that to the Superintendent to forward to the Board.

Commissioner Morin made a motion to authorize an increase of \$200,000 for Tyngsboro Well Field Replacement Well #3A project construction, design and completion. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Corey made a motion to award the Tyngsboro Well Field Well #3A project to Dankris Builders Corporation in the amount of \$453,000. Seconded by Commissioner Morin. Motion passed unanimously.

TREASURER'S REPORT:

Treasurer Debbie Vinal provided the Board with a detailed written report, pointing out as of November 30, 2017 revenues were at 47.03%, over by 5.03% and expenses were at 36.66%, under by 5.34%. Mrs. Vinal reported she will be sending a packet to the Department of Revenue this week to certify \$1.1M in free cash and expects that the DOR will certify the amount presented, though there is always the possibility of a small cut-back (anywhere from \$100 - \$1,000).

Commissioner Corey made a motion to accept the Treasurer's report as presented. Seconded by Commissioner Morin. Motion passed unanimously.

The Commissioners agreed to take the agenda out of order to address employee reviews beginning with the Treasurer's review.

Treasurer's Review:

All Commissioners stated they were very happy with the Treasurer's job performance adding that she is always prompt in answering any questions the Commissioners may have both individually and as a Board. Mrs. Vinal provides detailed monthly financial reports, and she continues to do a great job in her position as the Treasurer for the District, as evidenced in the auditor's annual reports.

Commissioner Morin made a motion to give Treasurer Debbie Vinal a 4.5% increase retroactive to her anniversary date. Seconded by Commissioner Corey. Motion passed unanimously.

Superintendent's Review:

Commissioner Morin stated Michael Sheu has done an excellent job as Superintendent of the DWSD, and has in fact far exceeded his expectations. Commissioner Morin stated, taking into account the salary the Superintendent was started off with, he would recommend the Board consider a 10% increase.

Chairman Zielinski stated Mr. Sheu has certainly proven his abilities as a leader. He keeps the Board of Commissioners well informed, his reports are very thorough, and he has created a welcome atmosphere among staff, Commissioners, and the Town, for which he is sincerely grateful, adding that the District is a better team with Mr. Sheu on board. Chairman Zielinski congratulated Mr. Sheu for a job well done.

Commissioner Corey stated he agrees with all of the above; that Mr. Sheu has done a great job for the District and he would have no problem with agreeing to a 10% increase for the Superintendent.

Commissioner Morin made a motion to give the Superintendent a 10% increase retroactive to his anniversary date. Seconded by Commissioner Corey. Motion passed unanimously.

Mr. Sheu thanked the Board, stating his goal is for the District to become totally self-sufficient.

District Counsel's Reviews:

Discussion ensued regarding the Commissioners providing annual reviews for District Counsel vs. 3-year contract reviews. All agreed District Counsel should have a job performance review like all other staff, annually, and District Counsels' contract should also be reviewed every 3 years.

Commissioner Corey stated he would like District Counsel to answer questions sooner.

Attorney Sullivan reminded the Board both he and Attorney Morris had the same retainer and hourly rate. All agreed, now that Attorney Milliard has had the time to bring himself up to speed with the DWSD, both should receive the same retainer and hourly rate.

Commissioner Morin made a motion to increase District Counsel Milliard's retainer to \$13,399.79 and hourly rate to \$178.66 retroactive to his anniversary date. Seconded by Commissioner Corey. Motion passed unanimously.

Chairman Zielinski stated every time he has reached out to both Attorney Sullivan and/or Attorney Milliard, he has received an immediate response, and that together they make a great team. Chairman Zielinski passed the gavel to Vice-Chairman Corey and made a motion to increase District Counsels' retainers to \$16,125.00 retroactive to July 1, 2017, to be reviewed July 2018. Seconded by Commissioner Morin. Motion passed unanimously.

District Counsel's Reviews (Cont'd):

Commissioner Zielinski made a motion to increase District Counsels' hourly rates (after 75 hour retainer) to \$215.00 per hour retroactive to their anniversary dates, to be reviewed July 2018. Seconded by Commissioner Morin. Motion passed unanimously.

Acting Chairman Corey returned the gavel to Chairman Zielinski.

Matthew Farren – Field Services staff:

Superintendent Michael Sheu informed the Board Matthew Farren is currently pursuing his D3 license. Mr. Sheu stated Mr. Farren needs to take more responsibility and to work more independently. Mr. Sheu stated he is willing to work with Mr. Farren and to provide additional training.

Commissioner Corey made a motion to give Matthew Farren a 2.5% increase retroactive to his anniversary date. Seconded by Commissioner Morin. Motion passed unanimously.

The Commissioners agreed to take the agenda out of order and hear District Counsel's report prior to the Superintendent's report.

DISTRICT COUNSEL'S REPORT:

New Office Building Close-Out/Update – Coughlin Heirs:

Nothing new to report

Acts/Bylaws Update:

Attorney Sullivan stated the warrant for Annual Meeting will close in March and there are four matters that should be addressed: SDF fees, Easement Bylaw, Boundaries, and the personnel handbook. Both Attorney Sullivan and Milliard would like to have some work session meetings during January-March, beginning with SDF fees.

Hearthstone Lane – Total cost to the District:

Nothing new to report

State Forest Legislative Filing:

Nothing new to report

Easement Agreement/The Arbors:

Chairman Zielinski instructed the Secretary to take this item off the agenda

Update/Solar Net Metering Proposal:

Addressed/voted at the November 15, 2017 meeting. Chairman Zielinski instructed the Secretary to take this item off the agenda

DISTRICT COUNSEL’S REPORT (Cont’d):

Security Issues Tyngsboro Wellfield and State Forest Pump Station:

District Counsel Roland Milliard reported the Tyngsboro Conservation Commission has filed an enforcement order regarding this matter with MADEP. The Tyngsboro Police Department tried to file a complaint with the Clerk of Courts, which was denied. Since the Clerk of Courts has refused both the DWSD privately, and the Tyngsboro Police Department to take out a complaint, Attorney Milliard cited case law, and suggested the District now take the matter to the Middlesex County District Attorney’s office. All agreed, and the Board authorized District Counsel to draft a letter to the D.A.’s office.

Superintendent Michael Sheu reminded the Board the District’s insurance carrier will pay \$5,000 via a safety grant application to help cover the \$10,000 cost of purchasing and installing security cameras at the Tyngsboro Wellfield. All agreed, and the Commissioners authorized the Superintendent to move forward with this purchase.

Fluoridation:

Attorney Milliard informed the Board he reached out to Methuen and learned that previous to building their own water treatment plant, they got their water from Lawrence, which was fluorinated. When the City of Methuen built their own water treatment plant, their Annual Meeting voted not to add fluoride, hence, since they have been “captain of their own ship”, they have not fluorinated.

Chairman Zielinski instructed the Secretary to keep this item on the agenda for future discussion.

Commissioner Corey made a motion to accept District Counsel’s report as presented. Seconded by Commissioner Morin. Motion passed unanimously.

Chairman Zielinski instructed the Secretary to put District Counsel’s report after the Treasurer’s report and before the Superintendent’s report on the agenda moving forward.

SUPERINTENDENT’S REPORT:

In addition to the Superintendent’s written report (attached), the following items were discussed:

Proposal of a new 16” water main from TWF through Norris Rd/Lawrence Ave to Lakeview Ave:

Mr. Sheu reported the boring test has been completed and design work is expected to be completed by January. Mr. Sheu stated it is important that the District go out to bid for this project during the winter months in order to have more competitive bids. Mr. Sheu will be working with the Treasurer after the new year to discuss funds available for this project, and will be meeting with Tighe & Bond after the new year on this project as well.

SUPERINTENDENT'S REPORT (Cont'd):

Metering Replacement Project:

Mr. Sheu reported the design work on this project is expected to be completed by the end of January 2018.

Water Management Act Application:

Tabled to the next meeting

Update on Solar Net Metering Proposal:

Addressed earlier this evening under District Counsel's report

Security Issues Tyngsboro Wellfield & State Forest Pump Station:

Addressed earlier this evening under District Counsel's report

Water Conservation:

Mr. Sheu informed the Board Tighe & Bond will present their report regarding water conservation at the January meeting

Easement Bylaw in Dracut & Tyngsboro:

Mr. Sheu reported he will be working with the District Clerk and District Counsel to draft an article to adopt an easement bylaw for both Dracut & Tyngsboro for Annual Meeting.

Commissioner Corey made a motion to accept the Superintendent's report as presented. Seconded by Commissioner Morin. Motion passed unanimously.

OLD BUSINESS:

District Counsel's Contract(s):

Addressed earlier this evening

Water Conservation:

Addressed earlier this evening under the Superintendent's report

Fluoridation:

Addressed earlier this evening under District Counsel's report

Discussion/SDF Fees:

Tabled to January 10th at 5:00 PM - work session meeting

NEW BUSINESS:

Staff Reviews:

Addressed earlier this evening

Other:

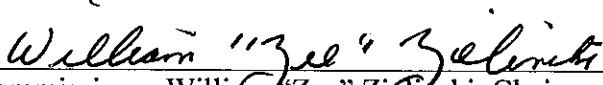
Commissioner Corey made a motion to allow staff to leave at 11:00 AM on Friday, December 22nd for the Christmas holiday. Seconded by Commissioner Morin. Motion passed unanimously.

Meeting Schedule:

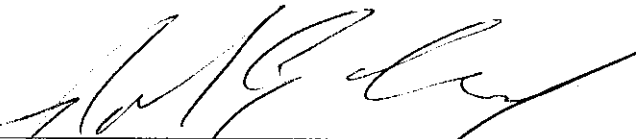
Chairman Zielinski announced the next meetings scheduled as follows:

Wednesday, January 10, 2018	5:00 PM DWSD/Main Office Conference Rm. Work Session Meeting re SDF Fees
Wednesday, January 10, 2018	6:00 PM DWSD/Main Office Conference Rm. Regularly Scheduled meeting
Wednesday, January 24, 2018	6:00 PM DWSD/Main Office Conference Rm. Regularly Scheduled meeting

Commissioner Corey made a motion to adjourn the meeting at 7:38 PM. Seconded by Commissioner Morin. Motion passed unanimously.



Commissioner William "Zee" Zielinski, Chairman



Commissioner Robert E. Corey, Vice-Chairman



Commissioner William L. Morin