

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

AUGUST 16, 2017

The meeting was called to order at 7:03 PM

PRESENT:

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

ABSENT: District Counsel Arthur C. Sullivan Jr.

MINUTES:

Commissioner Corey made a motion to accept the minutes of May 6, 2017 as presented. Seconded by Commissioner Morin. Motion passed unanimously.

Commissioner Morin made a motion to accept the minutes of May 24, 2017 as presented. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Corey made a motion to accept the minutes of July 12, 2017 as presented. Seconded by Commissioner Morin. Motion passed unanimously.

Commissioner Corey made a motion to accept the minutes of July 26, 2017 as presented. Seconded by Commissioner Morin. Motion passed unanimously.

APPOINTMENTS:

Community Input:

None

7:10 PM - Frank Gorman/Application for water services at Hildreth Street & Clement Road:

Hildreth Street:

Mr. Frank Gorman informed the Board he is building five homes at 845-855 Hildreth Street and would like to tie in to the water. The Commissioners informed Mr. Gorman the SDF fee is \$7,500 for each tie-in. Mr. Gorman stated as he pulls the building permits

APPOINTMENTS (Cont'd):

7:10 PM - Frank Gorman/Application for water services at Hildreth Street & Clement Road:

Hildreth Street (cont'd):

for each house, each tie-in fee will be paid. Mr. Gorman understands the tap fee for the main is \$8,000, which must be paid up front. Mr. Gorman will work with Field Services Manager John Hudzik to be sure the line is cut as close to the existing valve as possible, and the valve must be increased from a 6" to an 8" valve.

Commissioner Corey made a motion to approve five water services including five SDF fees and \$8,000 tap fee for Lambros Farm Estates five lot subdivision located at 845 – 855 Hildreth Street as presented. Seconded by Commissioner Morin. Motion passed unanimously.

Clement Road:

Mr. Gorman informed the Board he owns a subdivision in Pelham, NH. One of the lots (Lot 2), where Clement Road and Beechnut Road connects has a portion of the the lot in Dracut. Mr. Gorman would like permission to tie in to the DWSD for this lot. District Counsel Roland Milliard informed Mr. Gorman, by statute the DWSD cannot sell water into Pelham.

7:30 PM Matt Correira/LGH application for water service 9 Loon Hill Road:

Mr. Matt Correira of Dellbrook Engineering provided the Board with plans for Circle Health medical building to be located at 9 Loon Hill Road. Mr. Correira informed the Board the water service for the building was designed to be connected at the loop where the Arbors is located. Field Services Manager John Hudzik stated the water service cannot be connected on private property. The DWSD requires access to the water service off of a public road, and further explained that if there is a problem with one of the buildings, both buildings would have to be shut off.

The Board and staff had several questions relative to the plan submitted. Superintendent Michael Sheu stated a 2" meter is sufficient and is in fact preferred. Mr. Sheu also pointed out a by-pass shown on the plan, stating the DWSD does not allow a by-pass. Discussion ensued regarding tapping in to the main on Broadway Rd vs Loon Hill Rd. Town Manager James Duggan was present at the meeting and stated an extra permit from DOT may be required if the developer connects off of Broadway Road. Mr. Correira informed the Board their goal is to have the foundation in and to be setting steel by December 1st. Discussion ensued, and all agreed if time permits, the District would prefer the connection is made off of Broadway Road. If time does not permit, they can connect off of Loon Hill Rd. Mr. Correira will check with the State DOT to see what the turnaround time would be to get a permit. The Commissioners informed Mr. Correira he also needs to have a flow test done as soon as possible, which will direct what size pipe is required to come into the building.

APPOINTMENTS (Cont'd):

7:30 PM Matt Correia/LGH application for water service 9 Loon Hill Road (cont'd):

Chairman Zielinski emphasized the District is not trying to hold up the project in any way, however, they cannot vote on the plan until the changes discussed this evening are shown on the plan. The Commissioners agreed to vote that water is available for the project contingent upon the changes discussed.

Commissioner Corey made a motion that water is available to the Circle Health medical building located at 9 Loon Hill Rd., Dracut, MA contingent upon the DWSD's receipt of updated documents, flow test, and the location of tie-in at either Broadway Rd. or Loon Hill Rd., and in accordance with all other rules and regulations of the DWSD. Seconded by Commissioner Morin. Motion passed unanimously.

The Commissioners informed Mr. Correia the next regularly scheduled meeting will be in mid-September, however, they would be willing to call a special meeting if that becomes necessary.

TREASURER'S REPORT:

Treasurer Debbie Vinal provided a detailed written report, presented by Superintendent Michael Sheu. Mr. Sheu pointed out as of July 31, 2017 revenues were under by 2.45% and expenses over by 5.20%. Mr. Sheu explained the Treasurer takes full advantage of significant discounts offered for payments in full vs. monthly/quarterly payments for insurance this time of year, and the District has purchased a new truck. Mr. Sheu informed the Board the District will be auctioning off two trucks, both of which are in need of repair.

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

SUPERINTENDENT'S REPORT:

Undersized Water Main Projects:

2017 Undersized Water Main Improvements – Phase 2:

Mr. Todd Prokop, P.E., Project manager for Woodard & Curran reported the 2017 Undersized Water Main Improvements – Phase 2 bids were opened on August 10, 2017 and the low bidder was R&D Site Development, LLC. Woodard & Curran did five reference checks, four of which were very positive; one that did not come back favorable regarding an issue with a client requested change order. Mr. Prokop provided the Board with copies of the bid summary, tabulation of bids, bid package, contractor references, and notice of award.

Commissioner Morin made a motion to award the 2017 Undersized Water Main Improvements – Phase 2 bid to R&D Site Development, LLC, 7 Hemlock Ln., Groveland, MA in the amount of \$367,456.87. Seconded by Commissioner Corey. Motion passed unanimously.

SUPERINTENDENT'S REPORT (Cont'd):

2017 Undersized Water Main Improvements – Phase 3:

Mr. Prokop informed the Board the 2017 Undersized Water Main Improvements – Phase 3 bids were opened on August 10, 2017 and the low bidder was DeFelice Corporation. Again, the references submitted by DeFelice meet the qualification requirements.

Commissioner Corey made a motion to award the 2017 Undersized Water Main Improvements – Phase 3 bid to DeFelice Corporation, 28 Silva Ln., Dracut, MA in the amount of \$514,943.45. Seconded by Commissioner Morin. Motion passed unanimously.

State Forest Booster Pump Station Discharge Main Upgrades/Aqua Line Utility Claim:

Mr. Prokop informed the Board Aqua Line Utility submitted four claims for work performed for the DWSD State Forest Booster Pump Station Discharge Main Upgrades for a total of \$20,669.55. Woodard & Curran has reviewed all claims, and recommend payment for a portion of two of the four claims; a shutdown by the DWSD causing delay and electrical conduit closer than shown on the plan, causing delay. Mr. Prokop stated W&C had engineers present at all times, and recommended payment in the amount of \$2,449.62 (vs. \$20,669.55).

Commissioner Morin made a motion to pay Aqua Line Utility for the State Forest Booster Pump Station Discharge Main upgrades \$2,449.62 as payment in full for change orders as presented by Woodard & Curran. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Morin informed both Mr. Prokop and James Rivard of Woodard & Curran Superintendent Michael Sheu and/or Field Services Manager John Hudzik should be notified by W&C any time a situation occurs causing delays.

Tyngsboro and New Boston Well Fields:

Superintendent Michael Sheu informed the Board that he was very pleased to report Weston & Sampson completed the five day flow test at Well #3. There was an abundance of water, and no iron or Manganese were detected.

Superintendent Michael Sheu reported Phases 1-4 for Well #3 have been completed and he would like to request that the Board move on to Phase #5 for Well #3.

Commissioner Corey made a motion to approve Phase #5 for Well #3 at the Tyngsboro Well Field in the amount of \$264,000. Seconded by Commissioner Morin. Motion passed unanimously.

Mr. Sheu requested the Board also vote to approve Phases 2-4 for Well #2. Commissioner Morin made a motion to approve Phases 2-4 for Well #2 in the amount of \$174,000. Seconded by Commissioner Corey. Motion passed unanimously.

SUPERINTENDENT'S REPORT (Cont'd):

Proposal of a new 12" water main from TWF through Norris Rd/Lawrence Ave to Lakeview Ave:

Commissioner Corey made a motion to authorize the Superintendent to award Tighe & Bond \$117,000 for design, permitting, and bidding tasks for the Norris Rd/Lawrence Ave water main project design proposal. Seconded by Commissioner Morin. Motion passed unanimously.

Metering Replacement Project:

Both Superintendent Sheu and Field Services Manager John Hudzik stated the District is more than 10 years into the life expectancy of meters and need to move forward with the meter replacement project as soon as possible. Mr. Sheu informed the Board, according to the minutes of May 18, 2016, an agreement with Woodard & Curran signed by the former Superintendent in April of 2016 was discontinued due to lack of funding. The DWSD paid off what work W&C had done for this project and W&C agreed to close out their P.O. Mr. Sheu informed W&C he would be requesting proposals from them and other engineering consultant firms for this project in July. Woodard & Curran and Weston & Sampson submitted proposals for the project, and Weston & Sampson was the low bidder. The Commissioners asked if the District has money in the budget for this project. Mr. Sheu stated he spoke with the Treasurer, and the money is in the budget. Discussion ensued regarding raising the rates by 5%. Commissioner Zielinski stated the District is always working to improve the system, and has lots of projects in the works. If the District does not raise the rates, they will not have the money needed for future projects. Mr. Sheu stated, with careful planning, the District will have the funds necessary to for this and future projects. The Superintendent will provide District Counsel with copies of both proposals for review.

Commissioner Corey made a motion to award Weston & Sampson the bid for the DWSD's Meter Replacement Project in the amount of \$1,603,700 for the total cost of the project, including the replacement of 4,055 meters contingent upon review and approval of District Counsel. Seconded by Commissioner Morin. Motion passed unanimously.

Water Rate for Matthew Boule Memorial Park:

Superintendent Sheu stated the Commissioners voted to waive the fees for the meter, valve, and for turning on the service for the Matthew Boule Memorial Park on July 12, 2017, but charge for the water at cost. Mr. Sheu would like to recommend setting the water rate for this park the same rate as charged to the District by the Lowell Regional Water Utility (LRWU). District Counsel Roland Milliard stated the Superintendent is trying to establish a standard rate for "parks".

Commissioner Corey made a motion to charge any public park a flat rate equal to the rate charged by the Lowell Regional Water Utility. Motion failed for lack of a second.

Discussion ensued regarding the rate charged to Veterans' Memorial Park. Commissioner Corey stated if we are giving a special rate to Veterans' Memorial Park, all parks should be charged the same rate.

SUPERINTENDENT'S REPORT (Cont'd):

Water Rate for Matthew Boule Memorial Park:

Attorney Milliard will draft a letter regarding re-examining the District's position on water rates charged for parks from this point forward, and will report back to the Board at their next meeting.

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

DISTRICT COUNSEL'S REPORT:

District Counsel Roland Milliard updated the Board regarding Attorney Sullivan's recent surgery, stating he will be discharged from the hospital tomorrow and expects to be back to work by the next meeting in September. The Commissioners and staff asked that Attorney Milliard extend their well wishes.

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

Nothing new to report

Acts/Bylaws Update:

Tabled

Hearthstone Lane – Total cost to the District:

Attorney Milliard informed the Board, as required by contract, that expenses are going to be going over \$300 for filing fees relative to the Hearthstone Lane matter.

Commissioner Corey made a motion to authorize up to \$2,000 for filing fees relative to Hearthstone Lane. Seconded by Commissioner Corey. Motion passed unanimously.

Update on transfer of Birchmont Booster Pump Station:

Complete – Chairman instructed the Secretary to take this item off the agenda

Aqua Line Utility/Review of contract & request for extension:

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

State Forest Legislative Filing:

Nothing new to report

Solar Net Metering Proposal:

Attorney Milliard informed the Board Attorney Richard Holland of KP Law has just returned from vacation and will be available for the next meeting, should the Board want to further discuss the proposal before them from Lee Energy Group for Solar Net Metering. Attorney Milliard informed the Board Attorney Hollard has stated that because of upcoming changes in government policy, the savings will not be as good as they are in Lee Energy's proposal.

DISTRICT COUNSEL’S REPORT (Cont’d):

Solar Net Metering Proposal (cont’d):

Discussion ensued regarding the length of the agreement, and the Commissioners asked that Attorney Milliard check with Attorney Holland and Lee Energy Group to see if the District can transfer the agreement to another party and/or opt out of the agreement. If so, the Commissioners would like Attorney Milliard to invite Attorney Holland their next meeting.

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

Other:

57 Tyngsboro Road – Complaint:

Mr. Sheu provided the Board with before and after pictures of the property/driveway at 57 Tyngsboro Road. The pictures look identical and it appears damage to the driveway at this property was present prior to work done in this area by the DWSD’s contractor.

District Counsel Roland Milliard suggested, if the property owner would still like to file a claim, the District should provide them with the contractor’s contact information.

SDF Fees/define “Unit”:

Commissioner Morin stated he believes there will be several units in the Circle Health building, and that each unit should be charged a SDF fee. Discussion ensued, and the Commissioners requested District Counsel review the Bylaws for the definition of a “unit” and report back to the Board at the next meeting.

OLD BUSINESS:

District Counsel’s Contract(s):

Tabled

Water Conservation:

Ongoing

NEW BUSINESS:

Fluoridation:

Tabled

State Reviews: John Laffy and John Hudzik:

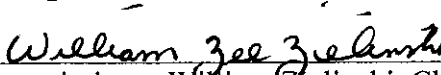
Tabled

Meeting Schedule:

Chairman Zielinski announced the next meetings scheduled as follows:


Wednesday, September 20, 2017	7:00 PM	DWSD/Main Office Conference Rm.
Wednesday, October 11, 2017	7:00 PM	DWSD/Main Office Conference Rm.
Wednesday, November 15, 2017	7:00 PM	DWSD/Main Office Conference Rm.

Commissioner Morin made a motion to adjourn the meeting at 9:45 PM. Seconded by Commissioner Corey. Motion passed unanimously.



Commissioner William Zielinski, Chairman

Commissioner Robert E. Corey, Vice Chairman



Commissioner William L. Morin