



Commissioners
Robert E. Corey
William L. Morin
Chairman - William "Zee" Zielinski

Michael Sheu
Superintendent

Debra H. Vinal
Treasurer

MINUTES

DECEMBER 16, 2020

The meeting was called to order at 5:45 PM

PRESENT:

Commissioners William "Zee" Zielinski/Chairman, and Robert E. Corey. Superintendent Michael K. Sheu, HR/Office Manager Kelley Chasse, District Counsel Arthur C. Sullivan Jr., and Roland Milliard, and Secretary Jayne Boissonneault

ABSENT: Commissioner William L. Morin

Chairman Zielinski asked for a roll-call vote to enter into Executive Session at 5:45 PM for the purpose of discussing real estate acquisition and the legal strategy thereto. The roll-call vote was as follows:

Commissioner Corey	-	Yes
Commissioner Zielinski	-	Yes

The regularly scheduled meeting was reconvened at 6:00 PM. Chairman Zielinski announced a vote was taken in Executive Session.

MINUTES:

The Commissioners agreed to table acceptance of minutes to the next meeting

COMMUNITY INPUT:

None

APPOINTMENTS:

341 Broadway Road, Matt Hamor:

Matt Hamor and Noah Perhk attended the meeting via Zoom. Mr. Hamor stated he spoke with the Superintendent two weeks ago, and Mr. Sheu informed him there would be enough capacity to provide water for the 278 units for this project but would have to discuss the sprinklering of the project. Mr. Hamor informed the Board the project will just need a small amount of water for irrigation for small landscaping areas, and they would not be using water for irrigation like projects such as the Meadow Creek Golf Course.

Mr. Sheu stated that because the District experienced very high water consumption in this area for irrigation this summer that wells were going dry, he does not believe the DWSD can provide water for irrigation for this project. The Commissioners asked if there was a possibility the apartment units would be converted to condominiums at some point. Mr. Hamor stated that right now, the project is for four apartment buildings, not condominiums, and that if they were to convert to condos down the road, the Home Owner's Association would have to absorb the use of water into their agreement. Mr. Hamor further stated this is a 40B project with limited profitability, and asked that the Board of Commissioners take that into consideration.

The Commissioners explained that as with any project, the DWSD cannot reduce tie-in fees, meter fees, or fees for fire protection, and any reduction in SDF fees must be voted on by the legislative body at Annual Meeting. Mr. Hamor was informed the deadline for submitting warrant articles for the 2021 Annual Meeting is March 24th.

Mr. Hamor asked that the District provide a letter stating water is available for fire protection and domestic use as soon as possible, and they will follow up with a warrant article requesting a reduction in SDF fees. Mr. Perhk stated the infrastructure and one building is included in phase one of the project, which he expects to be completed by the end of the summer of 2021. Commissioner Zielinski stated the Board should be able to vote on whether or not they can provide the letter Mr. Hamor has requested at their next meeting in early January, with a full Board present. The Board will need to talk about flow, and update Commissioner Morin who is absent from this evening's meeting. Mr. Hamor stated they have approval from the Zoning Board of Appeals; nothing has changed relative to capacity since 2015, and the project is at a stand-still because they need the letter from the DWSD. Mr. Parehk stated the project will be approximately 3 years to completion. Chairman Zielinski asked the Secretary to keep Mr. Hamor on the agenda for the next meeting.

DISTRICT COUNSEL'S REPORT:

DWSD Acts & Bylaws Update:

Ongoing

Easement at Winding Brook Estates:

Nothing new to report

DISTRICT COUNSEL’S REPORT (Cont’d):

166 Frost Road:

Addressed earlier this evening in Executive Session

Commissioner Corey made a motion to accept District Counsel’s Report as presented. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.

SUPERINTENDENT’S REPORT:

Tyngsboro and New Boston Well Fields:

Well #5:

Superintendent Michael Sheu reported Tighe & Bond has completed the design and specs for TWF Well #5A and the bid opening is scheduled for January 13, 2021. Mr. Sheu stated he expects this project to be online by Memorial Day weekend.

Mr. Sheu informed the Board he would like to buy a different type chemical metering pump. This type of pump is less complicated than the chemical metering pump that we are currently using, so that District Field Service Operators can do the maintenance/repair work on the pumps. The Commissioners agreed this is a good idea and in the long run, will benefit the District.

Distribution:

Winding Brook Condominium – Easement

No new updates

1530 Bridge St./144 Greenmont Ave.:

District Counsel Roland Milliard reported he drafted a letter to Steven Joncas to clear up a misunderstanding in his November 25th email relative to SDF fees. Attorney Milliard emphasized the fact that a reduction in SDF fees must be voted at Annual Meeting, that an important factor in *considering* supporting said reduction will be what the Town will be doing with sewer fee charges, and that the warrant articles for the DWSD Annual Meeting deadline is late March.

Commissioner Zielinski asked Attorney Milliard to follow up with Mr. Joncas to ask him what he intends to present for a warrant articles, and whether or not the Town has agreed to reduce sewer fees.

Current Operations Updates:

Pleasant Street Pump Station – Pump Replacement:

As reported at the last meeting, the roof will need to be cut and a hatch installed at the Pleasant Street Pump Station in order to accommodate the 2 new pumps. Mr. Sheu stated this project is expected to be completed in the spring.

SUPERINTENDENT'S REPORT (Cont'd):

Commissioner Corey made a motion to accept the Superintendent's Report as presented. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.

OLD BUSINESS:

Tighe & Bond – Master Plan:

Water Treatment Plant & State Forest Water Storage Tanks:

Mr. Sheu reported DCR has not approved the permit yet, however, as Tighe & Bond has pointed out DCR has not yet officially responded to the District denying the permit either, and recommends we wait until after the holidays to give them more time to reason with DCR. Commissioner Corey stated he does not understand why DCR would prefer to put a huge water tank vs. the tank the District has proposed at a higher spot, and suggested the District superimpose a photograph of what it would look like the way DCR wants the District to build the tank vs. the way the District has proposed building the tank. The Commissioners agreed a picture is worth a thousand words in this instance, and they would like a meeting to show DCR the difference between the two tanks, to help them make a more informed decision in the best interest of the environment and our community. Mr. Sheu will request a meeting with DCR, Tighe & Bond, and the DWSD as soon as possible.

State Revolving Fund:

Nothing new to report

Mass DEP Asset Management Grant Application:

Ongoing

Requisition of Property 24 Preston St., Dracut:

Attorney Sullivan reported he has not heard from Attorney Houghton regarding 24 Preston Street as of this evening.

Solar Net Metering:

Nothing new to report

NEW BUSINESS:

Rules & Regulations for tie-in DWSD water system

Tabled

Water Rate Steps for Residential and Commercial

Tabled

DWSD's Operations under COVID-19:

The main entrance lobby remains closed to the public at this point, and there have been no issues with the public using the drive thru as the number of COVID-19 cases continues to rise.

NEW BUSINESS (Cont'd):

Dracut/Tyngsboro Archeological Reconnaissance Survey:

Ongoing

Superintendent Employment Agreement:

The Commissioners voted to authorize the Superintendent's Employment Agreement as presented at the last meeting, commencing November 21, 2020.

New Lowell Water Rate:

As follow up to verbal conversation, District Counsel will draft a letter to put the City of Lowell on notice relative to their 40% increase in water rates and back billing, including the amount the District has paid, and the amount the District has not paid and is contesting. The letter will be sent to the City Manager and City Counselors, stating the District is willing to go to court to contest the back charges.

Mr. Sheu will also ask other surrounding cities and towns what they intend to do about their back charges and report back to the Board at the next meeting.

New DEP Regulations – PFAS:

As reported at the last meeting, PFAS regulations will be effective beginning January 1, 2021 and will be billed quarterly at approximately \$1,000 per test.

Holiday Work Schedule:

Mr. Sheu asked how the Commissioners want to handle Christmas Eve, as it falls on a Thursday this year. Commissioner Corey made a motion to give DWSD staff a full day off for the Christmas Eve holiday on Thursday, December 24th. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.

Other:

Mr. Sheu informed the Board the Governor has asked that people stay off the roads if at all possible and work from home tomorrow because of the storm. The Commissioners agreed DWSD Office staff should work from home tomorrow, December 17th. Essential Field Services staff will be given equal time off on a future date.

Meeting Schedule

Chairman Zielinski announced the next meeting will be scheduled at Harmony Hall as follows:

Wednesday, January 6, 2021

Executive Session Meeting
5:30 PM

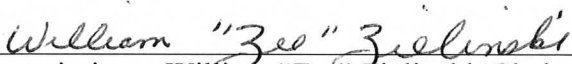
Regularly Scheduled Meeting
6:00 PM

Wednesday, January 20, 2021

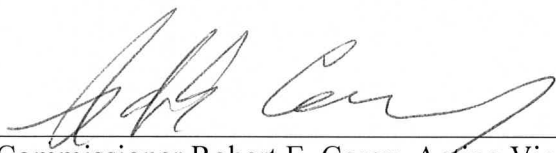
Executive Session Meeting
5:30 PM

Regularly Scheduled Meeting
6:00 PM

Commissioner Corey made a motion to adjourn the meeting at 6:55 PM. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.



Commissioner William "Zee" Zielinski, Chairman



Commissioner Robert E. Corey, Acting Vice-Chairman