



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

FEBRUARY 26, 2020

The meeting was called to order at 5:34 PM

PRESENT:

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

MINUTES:

Commissioner Morin made a motion to accept the Minutes of January 8, 2020 as presented. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Morin made a motion to accept the Executive Session Minutes of January 8, 2020 as accurately reflecting the Executive Session Meeting but not for release as public information until such time as the purpose for the Executive Session no longer exists. Seconded by Commissioner Corey. Motion passed unanimously.

The Commissioners agreed to table the acceptance of Minutes of February 12, 2020 to the next meeting.

COMMUNITY INPUT:

None

APPOINTMENTS:

TREASURER'S REPORT:

Treasurer Debbie Vinal informed the Board she will provide her monthly detailed financial report at the March 11th meeting. Mrs. Vinal provided copies of the DWSD's Audit Report for fiscal year 2019 for the Board's review.

TREASURER'S REPORT (Cont'd):

Mrs. Vinal reported unofficially (because free cash has not been certified as of this evening) the District will have \$612,207 in free cash, of which \$200,000 will be earmarked for OPEB, and \$412,207 for the Land/Property Account.

The Treasurer will address warrant articles later this evening under new business.

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

DISTRICT COUNSEL'S REPORT:

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

District Counsel reported they have not heard back yet from District Clerk Kathleen Graham or Attorney Hall (Town Counsel) regarding this property.

DWSD Acts & Bylaws Update:

Ongoing

166 Frost Road appraisals:

To be addressed in executive session later this evening

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

SUPERINTENDENT'S REPORT:

Purchase of property at 24 Preston Street, Dracut:

Superintendent Michael Sheu reported he received a call from the son of the property owners at 24 Preston Street informing him they are planning to sell the property and asked if the DWSD is interested in buying it. District Counsel Roland Milliard stated the property is currently assessed at between \$443,000-\$489,000. District Counsel will obtain an appraisal of the property and report back to the Board at the next meeting. Mr. Sheu will let the property owners know the District will be sending an appraiser.

Solar Net Metering – Todd Bard:

Mr. Sheu informed the Board Todd Bard, who assisted the District in their current Solar Net Metering Contract with NuGen, contacted him to see if the District is interested in signing up for another new solar project. Mr. Sheu provided the Board with a report of credits the District received between January and December, 2019; a total savings of \$60,319.26. The Board agreed to invite Mr. Bard to the next meeting to hear his new proposal.

Meeting with the Town of Tyngsboro:

Mr. Sheu informed the Board the next Tyngsboro Board of Selectmen's meetings are March 3rd and March 23rd. Now that the District has received more definitive information regarding the SRF funding for capital improvement projects, the Board of Commissioners agreed they are prepared to meet with the Town of Tyngsboro. All agreed to attend the March 23rd Tyngsboro Board of Selectmen's meeting, and asked that the Superintendent request that they are the first order of business on the agenda, as they will be inviting Tighe & Bond, the DWSD's engineers, to attend the meeting as well. The Secretary will post the meeting, in accordance with the Open Meeting Law, as all Commissioners plan to attend.

Chairman Zielinski polled the Board to enter into Executive Session at 5:56 PM for the purpose of discussing real estate acquisition and the legal strategy thereto. The vote was as follows:

Commissioner Morin:	Yes
Commissioner Corey:	Yes
Commissioner Zielinski:	Yes

The regularly scheduled meeting reconvened at 6:10 PM. Chairman Zielinski announced a vote was taken in Executive Session.

The Commissioners agreed to take the agenda out of order to hear an update from Tighe & Bond.

Tighe & Bond – Master Plan:

John McClellan, PhD, PE and Louis Soracco, PE of Tighe & Bond provided the Board with a report on SRF details and where the District is at this point. The DWSD has officially made the SRF IUP List for a total \$15M. Mr. Soracco explained that depending upon how other projects in the state go, there is a possibility the District could increase that amount. The interest rate is 1.5%, and the District will be eligible for 13.2% loan forgiveness if construction contracts are signed by June 2021 – a savings of approximately \$2M.

The Board was provided with a general project schedule, and "things to note" report, including the need for specific language needed for a warrant article for this year's annual meeting. Superintendent Michael Sheu provided the Board with sample language from the Town of Acton, MA for a similar project. Mr. Sheu will draft an article for annual meeting for review for the next meeting. District Counsel Arthur Sullivan suggested bond counsel may have to review the article, as stated in the DEP Massachusetts Clean Water Trust Application for Financial Assistance, Drinking Water State Revolving Fund Planning Stage: "Bond counsel to the municipality should be consulted to determine the exact form of authorization required and to determine which local body or official must approve the terms of the borrowing and the forms of documentation.

Tighe & Bond – Master Plan (cont'd):

Note also that districts and regional local governmental units may have substantially different authorization requirements from those indicated for towns and cities.”

Treasurer Debbie Vinal stated she did not think the article had to go to bond counsel, but that she will contact Peter Frazier to confirm.

Mr. Soracco pointed out all land ownership and/or easements must be complete by mid-October 2020. District Counsel informed Tighe & Bond the District got permission to swap an easement where the current tank is located at the state forest, however, D.C.R. will want a completed plan, including a mitigation plan. Mr. Sheu stated he believes the District may already have a preliminary plan and a great deal of detailed information already, and will provide an update at the next meeting. All agreed it is imperative the District begin this work immediately.

Mr. Soracco provided the Board with a report showing the DWSD will save \$2,517,300 with the SRF program, and \$4,945,500 after loan forgiveness. The Commissioners thanked Tighe & Bond for all the work they have put into this capital improvement project on behalf of the DWSD.

Tyngsboro and New Boston Well Fields:

John McClellan and Louis Soracco stated the bids for this project came in lower than expected: Manosh: \$83,970 and Maher: \$117,325. Mr. Soracco stated, however, the lowest bidder's references and experience have not proven to be what Tighe & Bond were looking for. They will request more specific information, and will then determine whether or not the low bidder met the criteria for the bid.

The Board thanked Mr. McClellan and Mr. Soracco again for attending this evening's meeting and providing the Board with their detailed report.

SUPERINTENDENT'S REPORT:

Tyngsboro and New Boston Well Fields:

Superintendent Michael Sheu asked that the Board vote to accept the proposals presented by Tighe & Bond.

Commissioner Morin made a motion to accept Tighe & Bond's Manganese Treatment Facility Design Proposal in the amount of \$488,500, subject to final approval of SRF funding for the Frost Road Water Treatment Facility. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Corey made a motion to accept Tighe & Bond's Proposal for Professional Engineering Services/Transmission Main Project in the amount of \$170,900, subject to final approval of SRF funding for the Frost Road Water Treatment Facility. Seconded by Commissioner Morin. Motion passed unanimously.

SUPERINTENDENT'S REPORT (Cont'd):

Tyngsboro and New Boston Well Fields (cont'd):

Commissioner Morin made a motion to accept Tighe & Bond's Proposal for Professional Engineering Services/State Forest Water Storage Tank in the amount of \$161,800, subject to final approval of SRF funding for the Frost Road Water Treatment Facility. Seconded by Commissioner Corey. Motion passed unanimously.

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

OLD BUSINESS:

Tighe & Bond – Master Plan:

Addressed earlier this evening

State Revolving Fund:

Addressed earlier this evening

Mass DEP Asset Management Grant Application:

Ongoing

Meeting with Town of Tyngsboro:

Addressed earlier this evening

NEW BUSINESS:

Treasurer's Review:

Tabled

Secretary to Board of Commissioners Review:

Commissioner Corey stated Mrs. Boissonneault does a fantastic job in all areas of job performance as Secretary to the Board. Commissioners Morin and Zielinski agreed, Chairman Zielinski adding Mrs. Boissonneault is always prepared and does an excellent job keeping the Board organized. Commissioner Corey made a motion to give Mrs. Boissonneault a 4% increase retroactive to her anniversary date. Seconded by Commissioner Morin. Motion passed unanimously.

Staff Review - Maureen Donnelly:

All Commissioners agreed Ms. Donnelly continues to do a great job, and that they are very happy with her job performance. Commissioner Corey made a motion to give Maureen Donnelly a 3.75% increase retroactive to her anniversary date. Seconded by Commissioner Morin. Motion passed unanimously.

NEW BUSINESS (Cont'd):

Staff Review - Erica Tanguay:

All Commissioners agreed Mrs. Tanguay's evaluation has greatly improved since last year, and they are very happy with her job performance. Office Manager Kelley Chasse added that Erica is continuing to learn new skills and is doing a great job. Commissioner Corey made a motion to give Erica Tanguay a 3.5% increase retroactive to her anniversary date. Seconded by Commissioner Morin. Motion passed unanimously.

Purchase of Property at 24 Preston Street, Dracut:

Addressed earlier this evening

Emergency and Non-Emergency Water Main Break Repair Contracts:

Mr. Sheu informed the Board the District will have to go out to bid for Emergency and Non-Emergency Water Main Break Repairs, and suggested the District combine the Emergency and Non-Emergency Water Main Break Repair contracts into one "Water Main Break Repair" contract. Commissioner Corey made a motion to authorize the Superintendent to work with Tighe & Bond to design a bid package for Emergency and Non-Emergency Water Main Break Repair. Seconded by Commissioner Morin. Motion passed unanimously.

Risk Assessment and Emergency Response Plan:

Mr. Sheu informed the Board the District must update their Risk Assessment and Emergency Response Plan by June 30, 2021. Commissioner Corey made a motion authorizing the Superintendent to work with Tighe & Bond to update the District's Emergency Response Plan and Risk & Resilience Assessment. Seconded by Commissioner Morin. Motion passed unanimously.

Draft 2020 Annual Meeting Warrant Review:

Treasurer Debbie Vinal provided the Board with draft warrant articles for review and discussion.

Article #6:

Superintendent Michael Sheu will provide the Treasurer with an amount to increase the Salary, Wages & Benefits Account.

Article #9 & #14:

Treasurer Debbie Vinal will work on Article #9 & Article #14 with the Auditor.

Article #12A:

The Commissioners agreed Article #12A should be increased to \$4,000

The Superintendent and Treasurer are working on the SRF Article.

District Counsel will provide the language for two articles relative to OPEB.

The Treasurer will add money into the Land Property Account.

NEW BUSINESS (Cont'd)

Draft 2020 Annual Meeting Warrant Review (cont'd):

The Treasurer will increase legal fees to \$80,000

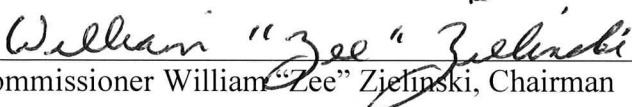
The Commissioners asked that all additions/edits to the draft warrant be completed for the next meeting so that the Board can vote on the articles.

Meeting Schedule

Chairman Zielinski announced the next meetings are scheduled as follows:

Wednesday, March 11, 2020	Regularly Scheduled Meeting 5:30 PM Main Office Building/Conference Rm
Wednesday, March 11, 2020	Executive Session Meeting for the purpose of Discussing real estate acquisition and legal strategy thereto 5:45 PM Main Office Building/Conference Rm
Tuesday, March 24, 2020	Regularly Scheduled Meeting 5:30 PM Main Office Building/Conference Rm
Tuesday, March 24, 2020	Executive Session Meeting for the purpose of Discussing real estate acquisition and legal strategy thereto 5:45 PM Main Office Building/Conference Rm

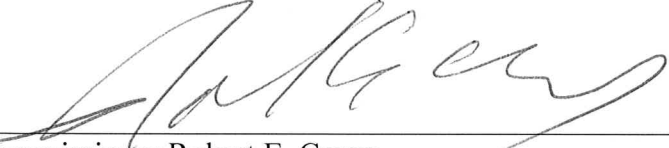
Commissioner Morin made a motion to adjourn the meeting at 7:40 PM. Seconded by Commissioner Corey. Motion passed unanimously.



Commissioner William "Zee" Zielinski, Chairman



Commissioner William L. Morin, Vice Chairman



Commissioner Robert E. Corey