

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

JULY 8, 2020

The meeting was called to order at 5:33 PM

PRESENT:

Commissioners William "Zee" Zielinski/Chairman, acting Vice-Chairman 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, District Clerk Kathleen Graham, and Secretary Jayne Boissonneault

ABSENT:

Commissioner William L. Morin

MINUTES:

All agreed to table acceptance of Minutes to the next meeting with a full Board present.

COMMUNITY INPUT:

None

APPOINTMENTS:

None

TREASURER'S REPORT:

Treasurer Debbie Vinal informed the Board there is no financial report for this evening's meeting as she is waiting on invoices to come in for June to close out the fiscal year.

Mrs. Vinal stated she will need the Board to vote to set up Capital Improvement Project accounts for the Treatment Plant, Wellfield Transmission Main, State Forest Tanks, and Asset Management.

Commissioner Corey made a motion to authorize the Treasurer to set up a Capital Improvement Project account for the Treatment Plant. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.

Commissioner Corey made a motion to authorize the Treasurer to set up a Capital Improvement Project account for the Wellfield Transmission Main. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.

Commissioner Corey made a motion to authorize the Treasurer to set up a Capital Improvement Project account for the State Forest Tanks. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.

Commissioner Corey made a motion to authorize the Treasurer to set up a Capital Improvement Project account for Asset Management. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.

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

DISTRICT COUNSEL'S REPORT:

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

District Clerk Kathleen Graham James Keefe will be holding the Auction on this piece of property on Tuesday, July 14th at 10:00 AM here at the DWSD and will be putting the legal notice in the newspaper, that this is an unbuildable lot. Ms. Graham stated once the Auction takes place, she will be in touch with Attorney Hall regarding the deed, and will keep District Counsel informed.

DWSD Acts & Bylaws Update:

Ongoing

Easement at Winding Brook Estates:

Superintendent Michael Sheu reported that because there was a situation with a water leak at Tennis Plaza Road and this whole area was without water earlier this week, members of the Winding Brook Estates Homeowner's Association (HOA) came to talk to him about the situation. Mr. Sheu brought the easement issue to the HOA's attention once again. They were under the impression that Property Management New England had contacted the DWSD, and Mr. Sheu informed them they did not contact the District.

DISTRICT COUNSEL’S REPORT (Cont’d):

Easement at Winding Brook Estates (cont’d):

Mr. Sheu explained, as evidenced by the water leak this week, this matter is very serious and that the best way for the HOA’s to address the matter is to attend a meeting with the Board of Water Commissioners to discuss resolving the issues with the Easement.

Winding Brook Estates requested the DWSD issue a letter to the other two HOAs as well, as there are three HOAs involved which are believed to be: Wimbledon Crossing, Winding Brook, and Tennis Plaza I/II.

Mr. Sheu stated he was informed by the Town’s Engineering Department that Tennis Plaza Road was accepted by the Town sometime in the 1990’s. District Counsel Arthur Sullivan will have a title examiner work on this and report back at the next meeting. Ms. Graham stated she believes the HOA’s have a trash contract and she may be able to help by getting that information for District Counsel.

166 Frost Road:

Nothing new to report.

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:

Tyngsboro Well #5:

Superintendent Michael Sheu reported the pump test for the new Tyngsboro replacement Well #5 is scheduled for next week to determine how much water the new well can produce, and how it affects the other wells.

Distribution System:

Sunset Hill – New Subdivision:

Mr. Sheu provided the Board with copies of a proposed new subdivision plan “Sunset Hill” located off of Avis Avenue, consisting of 20 units. The Superintendent informed the developer water is available for this project, and that the developer must make an appointment to come before the Board of Water Commissioners with their request for water service to review their plans.

435 Nashua Rd:

Mr. Sheu provided the Board with copies of a proposed new development planned at 435 Nashua Rd., Dracut, for a convenience store with drive thru donut shop. The Superintendent informed the developer water is available for this project, and that the developer must make an appointment to come before the Board of Water Commissioners with their request for water service to review their plans.

SUPERINTENDENT’S REPORT (Cont’d):

Distribution System:

1530 Bridge St./144 Greenmont Ave.:

Mr. Sheu informed the Board he received a call from Mr. Steven Jancas who presented Article #24 at the June 30, 2020 Annual District Meeting requesting a reduction in SDF fees, which was defeated. Mr. Jancas stated they may not be able to build the project this year, but are likely to try again at next year’s Annual Meeting. Mr. Sheu informed Mr. Jancas he is welcome, and in fact encouraged, to come before the Board of Water Commissioners prior to Annual Meeting.

Lazy River, 145-155 Broadway Rd.:

Mr. Sheu informed the Board District staff is assisting the developer for this project with residents in need of pressure reducing valves.

1175 Mammoth Rd., Request for Water Service, Steve Coravos:

Mr. Sheu informed the Board Mr. Coravos has still not provided the District with the required fire protection and plumbing plan for this development. Mr. Sheu has provided additional email stating exactly what the District needs, and has still not heard back from Mr. Coravos. It has now been over a month since Mr. Coravos promised to deliver the plans to the District. The Commissioners authorized the Superintendent to send Mr. Coravos a cease and desist from the DWSD, and that no work shall be allowed to continue on this project until the District receives the required engineered, stamped plans in accordance with the Rules & Regulations of the DWSD.

Other:

Rules & Regulations for Privately Owned Subdivisions:

Mr. Sheu pointed out that situations such as the District has been recently faced with regarding water leaks on private property subdivisions such as Winding Brook/Tennis Plaza and Primrose Hill Village highlight the need for the DWSD to develop Rules & Regulations for privately owned subdivisions being responsible for the maintenance of their water lines, spelling out that if they have a water leak, the DWSD may repair the leak but will charge for this service via their water bill.

Discussion ensued regarding the permits for those privately owned properties, and District Clerk Kathy Graham offered to do some research on this matter, along with District Counsel and the Superintendent. The Superintendent will then work with District Counsel to draft the Rules & Regulation language.

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:

Mr. Sheu informed the Board Tighe & Bond has provided the final basis design for the water treatment plant, and will be setting up a meeting next week. Mr. Sheu asked the Commissioners if they would like to attend the meeting. Commissioner Zielinski will attend the meeting if it can be set up in the morning with Monday July 13th, or possibly Thursday, July 16th. Mr. Sheu will follow up after he speaks with Tighe & Bond to set up the meeting.

New Water Storage Tanks at State Forest:

Attorney Sullivan sent an email to DCAM and DCR, and has not heard back yet. Mary Gardell from DCP has informed Attorney Sullivan she is still waiting for the “TR 1 Form” signed from DCR in order to take any action on this project, and she had not yet received it. Mr. Sheu & Attorney Sullivan will follow up in two weeks.

State Revolving Fund:

Mr. Sheu submitted the 2020 Annual Meeting Minutes to Attorney Manley, Bond Counsel.

Mass DEP Asset Management Grant Application:

Mr. Sheu informed the Board Tighe & Bond will be at the District next week to go over the Asset Management Grant.

Meeting with Town of Tyngsboro:

Attorney Milliard will edit correspondence to the Town of Tyngsboro to include information regarding the Purchase & Sales agreement for 166 Frost Rd., and send to the Board and Superintendent for review prior to sending out.

Requisition of Property 24 Preston St., Dracut:

Tabled

Emergency and Non-Emergency Water Main Break Repair Contract:

Mr. Sheu reported Tighe & Bond posted the Specifications on the Central Register, and there have been three companies interested thus far. The bid opening is scheduled for July 23rd.

Risk Assessment and Emergency Response Plan:

Mr. Sheu reported the following quotes were provided for the DWSD’s Risk Assessment and Emergency Response Plan in accordance with the federal America’s Water Infrastructure Act (AWIA), signed into law in October of 2018:

Woodard & Curran:	\$41,000
Tighe & Bond:	\$33,000

OLD BUSINESS (Cont'd):

Risk Assessment and Emergency Response Plan (cont'd):

Mr. Sheu recommended the Board appoint Tighe & Bond to provide their services for this project.

Commissioner Corey made a motion to award the Risk Assessment and Emergency Response Plan project to Tighe & Bond for \$33,000. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent.

NEW BUSINESS:

Extending Legal Contract:

Tabled

Rules & Regulations for tie-in DWSD water system

Mr. Sheu stated three Tyngsboro residents had requested connected to the DWSD water system, and he would like the Board to consider making a policy that all requests for water service for Tyngsboro come before the Board of Commissioners. Mr. Sheu provided the Board with bulleted points the Board may want to address in the new policy. Currently, the DWSD allows the Superintendent to approve requests for water service in Dracut for up to three units. All agreed to table discussion on this matter to the next meeting with a full Board present.

Water Rate Steps for Residential and Commercial

Mr. Sheu stated District has had a difficult time during this recent drought catching up with water consumption. Despite every effort to enforce, and make rate payers aware of water restrictions including information posted on the District's website, facebook, reverse 911 calls, and signs placed throughout the District, people are not paying attention and/or adhering to the water restrictions in place. Mr. Sheu suggested the Board consider increasing the water rate via steps where increased water usage = higher water rates.

Mr. Sheu and Field Services Manager John Hudzik stated the pumps at the Pleasant Street Pump Station are 40 years old (+/-), and need to be replaced, which will help with how much water the District is able to pump. Discussion ensued relative to the need for new pumps, which will double the gpm from the Pleasant Street Pumping Station, and where the money for those pumps would come from within the budget. The Commissioners, Superintendent, and Treasurer agreed the money would come out of the General Fund.

NEW BUSINESS (Cont'd):

Water Rate Steps for Residential and Commercial (cont'd):

Chairman Zielinski passed the gavel to acting Vice-Chairman Corey and made a motion to authorize the Superintendent to expend up to \$200,000 to repair/replace two pumps for the Pleasant Street Pump Station, said funds to come out of the General Fund. Seconded by Commissioner Corey. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin absent. Acting Vice-Chairman Corey returned the gavel to Chairman Zielinski.

Staff Review – John Laffy:

Tabled

Vacation Policy for non-regular work hour employees:

Mr. Sheu reported it has come to the attention of the HR Director the District's Bylaw is not clear about what the number of work hours are for a holiday, and how holidays shall be calculated if they fall on days non-regular work hour employees do not regularly work.

Treasurer Debbie Vinal stated she was told she was not entitled to the July 4th holiday. HR Director Kelley Chasse stated there were questions about how to calculate holiday pay when employees do not regularly work on a day a holiday falls on and therefore she wanted to bring the question to the Board. Lengthy discussion ensued relative to hours vs. days, differences in work times/days/schedules, and holiday pay. Chairman Zielinski pointed out that the Board of Commissioners voted to allow the Treasurer to work a four day work week and asked that she either take more, or less time for lunch hours to make up the 40 hours required. Chairman Zielinski emphasized that everyone at the DWSD should be treated equally. Lengthy discussion/debate ensued once again. The Superintendent's contract was brought into the debate by the Treasurer, and Chairman Zielinski called for the discussion to end; again emphasized that everyone at the DWSD is treated fairly, and asked that the Treasurer, HR Director, and Superintendent present their questions regarding current, and proposed holiday/vacation policy for non-regular work hour employees in writing to the Board to be addressed at the next meeting with a full Board present. If anyone is on vacation for the next meeting, the Chairman instructed the Secretary to put this matter on the agenda for the next meeting all can be present for discussion.

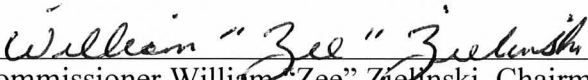
Meeting Schedule


Chairman Zielinski announced the next meetings are scheduled as follows:

Wednesday, August 12, 2020	Regularly Scheduled Meeting 5:30 PM DWSD/Outdoors
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Wednesday, September 16, 2020	Regularly Scheduled Meeting 5:30 PM DWSD/Outdoors
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Commissioner Corey made a motion to adjourn the meeting at 7:00 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