

*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**

**JUNE 20, 2018**

The meeting was called to order at 6:00 PM

### **PRESENT:**

Commissioners William "Zee" 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, District Clerk Kathleen Graham, and Recording Secretary Jayne Boissonneault.

### **MINUTES:**

Commissioner Morin made a motion to accept the minutes of April 11, 2018 as presented. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Corey made a motion to accept the minutes of April 25, 2018 as presented. Seconded by Commissioner Morin. Motion passed unanimously.

Commissioner Morin made a motion to accept the Work Session minutes of May 4, 2018 as presented. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Corey made a motion to accept the minutes of May 12, 2018 as presented. Seconded by Commissioner Morin. Motion passed two to one; Commissioners Morin and Corey in favor, Commissioner Zielinski abstained as he was absent from the May 12, 2018 meeting.

Commissioner Corey made a motion to accept the minutes of May 23, 2018 as presented. Seconded by Commissioner Corey. Motion passed unanimously.

### **APPOINTMENTS:**

#### **Community Input:**

None

**APPOINTMENTS (Cont'd):**

**19 Long Pond Path/Request for Water Connection:**

Property owner Rob Richards appeared before the Board to request approval for a water connection at 19 Long Pond Path. Field Services Manager John Hudzik reminded the Board that this property has two lots. The lot of 23 Long Pond Path has a house and the lot of 19 Long Pond Path has a cottage. The water of 19 Long Pond Path was tied in to 23 Long Pond Path illegally, discovered due to a water leak. This property (19-23 Long Pond Path) has been purchased by Mr. Richards. Mr. Hudzik stated the existing water line of 23 Long Pond Path is inferior and needs to be replaced. The water line from 23 to 19 Long Pond Path was disconnected. This property currently has no water.

Mr. Roberts stated 19-23 Long Pond Path needs to be rehabbed, however, he would like to have a new water service line at 19 Long Pond Path. Mr. Hudzik stated, in his opinion, in order to have adequate water for both lots, it should be connected from Nashua Road. Treasurer Debbie Vinal informed the Board Mr. Roberts was made aware of the water issue at this property prior to purchase, and agreed to pay for a new water service and meter when he purchased the property. Commissioner Morin stated a new SDF fee would also have to be paid for a new service.

Discussion ensued relative to two additional lots on Long Pond Path. The Commissioners agreed they cannot allow the property owner to tie in to an under-size water main, however, offered to discuss paying for materials to bring the water line down from Nashua Road, and Mr. Richards paying for the labor, as water would then be available for the two additional lots on Long Pond Path. Mr. Richards will get a price for labor for a 6" line from Nashua Rd. with a hydrant to tie in his property, plus one new connection fee, and come back to the Board to discuss this matter further.

**112 Sladen Street – Change of use:**

Tabled

**1895 – 1905 Lakeview Avenue/Request for Water Connection:**

Mr. Norman Breault, General Contractor for the proposed "Top Donut" project located at 1895-1905 Lakeview Ave. requested water connection for the 1895 portion (bakery) of the project. Mr. Breault stated the 1905 portion of the project will not be developed for some time, but would like to bring the service to the curb stop.

Attorney Milliard recused himself from the meeting, disclosing that he has represented Mr. Breault and family. Commissioner Morin also recused himself from the meeting, disclosing that Mr. Breault is a distant relative.

Discussion ensued, and Commissioner Corey made a motion authorizing property owners Robin & Wendy Ley to connect two 1" services & 2 fire hydrants and back flow prevention from the 6" main on Lakeview Avenue, including two SDF fees at \$7,500 each; the connection for the retail portion of the property to be stubbed off after the curb stop. Motion passed two to one, Commissioners Morin and Zielinski in favor; Commissioner Morin abstained.

**APPOINTMENTS (Cont'd):**

The Commissioners asked that Mr. Breault get a copy of the as builts for this project to the District prior to the next meeting.

**WMA & Proposal for the Nashua Road Water Main Project – Tighe & Bond:**

All agreed to take the agenda out of order to hear Tighe & Bond's presentation.

John McClellan, Ph.D., P.E., and Paul Malmrose, P.E., representing Tighe & Bond provided the Board with an update on the Norris Rd. and Lawrence Rd. water main project, stating the project had been slightly delayed because of the bid protest, however, the contractor mobilized for this project last week and expects the main portion of the project to be completed this season. Chairman Zielinski requested a weekly, written update on this project as it progresses. Mr. Malmrose will provide the link to the Commissioners via the Superintendent.

Mr. Malmrose & Mr. McClellan also provided the Board with an update/slide presentation of the Nashua Road water main project proposal, the details of which are attached. Discussion ensued, and agreed the District should get the Frost Rd. to Tyngsboro Rd. portion of project done first.

All agreed the three priorities around the State Forest/Marsh Hill Improvements are Tyngsboro Road, Lakeview Avenue, and Robert Road/Christine Avenue/Gloria Street; and maybe cleaning & lining Frost Road.

District Counsel Arthur Sullivan reminded the Board he has been working with DCAM regarding the State Forest Easement, and that at this point, they want to see a plan. Mr. McClellan & Mr. Malmrose stated Tighe & Bond may be able to put together a site plan for DCAM.

**TREASURER'S REPORT:**

Treasurer Debbie Vinal provided the Board with a detailed written report, pointing out as of May 31, 2018 revenues were at 96.47%, over by 4.47% and expenses were at 77.75%, under by 14.25%.

Mrs. Vinal informed the Board, after making transfers after Annual Meeting, the District has approximately \$300,000.00 left in the Repair & Replacement Fund, and provided a report showing where funds were transferred by project.

Mrs. Vinal also reported representatives of Colonial Life Insurance came to the District offering life, cancer, long term disability, and other insurance. Mrs. Vinal stated the District would not be paying any portion for this insurance, however, she would need the Commissioners' approval for the District to process payments to Colonial Life for employees who choose to sign up for this insurance.

**TREASURER'S REPORT (Cont'd):**

The Commissioners asked that the Treasurer invite Mr. & Mrs. Johnson to the next meeting to present the insurance coverage being offered and to answer any questions the Commissioners may have.

Commissioner Corey made a motion to accept the Treasurer's report as presented.

Seconded by Commissioner Morin. Motion passed unanimously.

**DISTRICT COUNSEL'S REPORT:**

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

Attorney Sullivan informed the Board Kathleen Graham, District Clerk, has been doing research and made a discovery that eluded them regarding the Office Building Close Out/Coughlin Heirs.

District Clerk Kathleen Graham reported that her research shows the property in question was in fact taken by the Town for non-payment of taxes in July of 1940. Gerard Street was then abandoned in 2009. Ms. Graham stated she will continue researching this property and report back to the Board if there is any additional information available. All agreed this research puts an end to the mystery regarding ownership of this property, and thanked the Clerk for all of her research.

**Legislative Filing/SDF Fees:**

Chairman Zielinski asked the Clerk if she has heard anything regarding the District's petition to the legislature to amend the enabling legislation relative to DWSD SDF fees. Ms. Graham informed the Board she has sent the request and all certified copies of the vote to Representative Colleen Garry and Senator Barbara L'Italian, with copies to District Counsel, adding that at this point the matter is in the hands of District Counsel and the Board of Commissioners.

District Clerk Kathleen Graham will provide the Board with a copy of the correspondence sent to the legislature, along with all supporting documentation.

**Hearthstone Lane – Total cost to the District:**

District Counsel reported the statute of limitations ends in 2021 relative to Hearthstone Lane.

**State Forest Legislative Filing:**

District Counsel reported they cannot move forward on the State Forest Legislative Filing until the District has a more detailed plan, which may soon be accomplished by Tighe & Bond as stated earlier this evening.

**Contract with Tyngsboro & DWSD Service Boundaries:**

District Counsel reported the Town of Tyngsboro has requested a list of streets & maps of the areas in Tyngsboro the DWSD delivered water to as of December 8, 1982. District Counsel will draft a response and forward to the Commissioners for approval.

**DISTRICT COUNSEL’S REPORT (Cont’d):**

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

**SUPERINTENDENT’S REPORT:**

**Tyngsboro and New Boston Wellfield:**

Superintendent Michael Sheu reported a flow test was conducted on Well #3A from June 6<sup>th</sup> through June 8<sup>th</sup>, set at 500 gmp. The ground water level only dropped 1 ft. within 48 hours. Two samples were collected at 24 hrs. and 48 hrs., with 0.1 ppm iron and 0.01 ppm Manganese; a very good well with very good quality water. Well #3A is expected to be completed by the end of June.

**Norris Road and Lawrence Road Water Main Project:**

Mr. Sheu reported this project starts on Tuesday. There are two change orders: one to change the 19” x 16” butterfly valves to gate valves, and one to change the pipe size at STA 27; a total of \$53,886.13. Commissioner Morin made a motion approve the change orders as presented. Seconded by Commissioner Corey. Motion passed unanimously.

**Meter Replacement Project:**

Mr. Sheu reported the company’s owner’s father passed away and the project has been slightly delayed. The Commissioners asked that Mr. Sheu extend their condolences.

**Proposal for Nashua Road water main project – Tighe & Bond Presentation:**

Addressed earlier this evening by Tighe & Bond

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

**OLD BUSINESS:**

**Vacancy of Field Services Operator:**

Mr. Sheu reported five applications were received for the Field Services Operator position. Four applicants had no relevant experience. One applicant, Christopher Hudson, has licenses and experience. Mr. Sheu informed the Board Mr. Hudson was sent to Circle Health for a pre-employment physical, and has received medical clearance to complete all tasks as outlined in the job description. Mr. Sheu stated Mr. Hudson is the most qualified candidate and recommended he be offered the position. Commissioner Corey made a motion to hire Christopher Hudson as Field Services Operator for the DWSD. Seconded by Commissioner Morin. Motion passed unanimously.

**NEW BUSINESS:**

**Nashua Rd. & Long Pond Water Main Design Report & Proposal:**

Addressed earlier this evening under Tighe & Bond's presentation

**Donation to Harmony Hall (for the use of the building for Annual Meeting):**

Commissioner Corey made a motion that the DWSD make a donation in the amount of \$500 to Harmony Hall for the use of the building for the District's 2018 Annual Meeting. Seconded by Commissioner Morin. Motion passed unanimously.

**District Counsel's Review of Executive Session Minutes:**

The Secretary provided District Counsel with two sets of Executive Session minutes for review and recommendation to release.

**Re-organization of the Board:**

Commissioner Corey stated he would like the organization of the Board to remain the same, adding that Commissioner Zielinski does an excellent job as Chairman.

Commissioner Morin agreed, and made a motion to open nominations for offices for the Board of Water Commissioners. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Corey made a motion to nominate Commissioner Zielinski as Chairman. Seconded by Commissioner Morin. Chairman Zielinski asked if there were any other nominations. Seeing and hearing none, Commissioner Zielinski accepted the nomination of Chairman of the DWSD Board of Water Commissioners, and called for the vote. Motion passed unanimously.

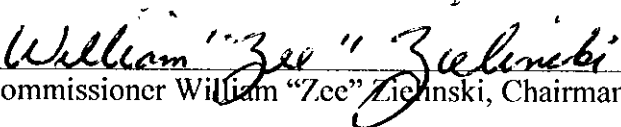
Commissioner Morin made a motion to nominate Commissioner Corey as Vice-Chairman. Seconded by Commissioner Zielinski. Chairman Zielinski asked if there were any other nominations. Seeing and hearing none, Commissioner Corey accepted the nomination of Vice-Chairman of the DWSD Board of Water Commissioners. Chairman Zielinski called for the vote. Motion passed unanimously.

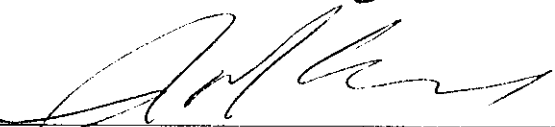
**Meeting Schedule:**

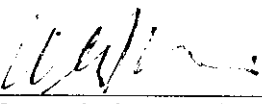
Chairman Zielinski announced the next meetings (summer schedule) are as follows:

Wednesday, July 25, 2018	6:00 PM DWSD/Main Office Conference Rm.
Wednesday, August 22, 2018	6:00 PM DWSD/Main Office Conference Rm.
Wednesday, September 19, 2018	6:00 PM DWSD/Main Office 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 Robert E. Corey, Vice-Chairman

  
Commissioner William L. Morin