



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

MARCH 11, 2020

The meeting was called to order at 5:33 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 Corey made a motion to accept the Minutes of February 12, 2020 as presented. Seconded by Commissioner Morin. Motion passed unanimously.

Commissioner Morin made a motion to accept the Executive Session Minutes of February 12, 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.

Commissioner Corey made a motion to accept the Minutes of February 26, 2020 as presented. Seconded by Commissioner Morin. Motion passed unanimously.

Commissioner Morin made a motion to accept the Executive Session Minutes of February 26, 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.

COMMUNITY INPUT:

None

TREASURER'S REPORT:

Treasurer Debbie Vinal provided the Board with a detailed financial report ending February 29, 2020 pointing out receivables are at 72.09%, over by 5.09%, and expenses are at 50.02%, under by 16.98%.

Mrs. Vinal provided the Board with an updated budget, showing \$104,710 transfer to Undersized Water Mains (Article #9 on the warrant). The Treasurer will address warrant articles later this evening under new business.

All agreed to address the Treasurer's annual review prior to appointments this evening. All Commissioners agreed the Treasurer does a great job for the District, Commissioner Morin adding that she always has. Commissioner Corey made a motion to give the Treasurer a 4% increase retroactive to her anniversary date. Seconded by Commissioner Morin. Motion passed unanimously.

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.

APPOINTMENTS:

Solar Net Metering – Todd Bard:

Todd Bard, who assisted the District in their current Solar Net Metering Contract with NuGen, attended the meeting to see if the District is happy with their current solar net metering credits. All agreed this project has, thus far, provided significant savings to the DWSD, with net metering savings/credits in the amount of \$60,319.26 from January through December 2019. Mr. Bard stated he has a new project he believes the District would benefit from, especially with a proposed water treatment facility being planned in the near future. Mr. Bard added the project, "Solar Massachusetts Renewable Trust" (S.M.A.R.T.), similar to the previous project, would require a 20 year contract and like the previous project, would be a win/win, no risk commitment for the DWSD.

APPOINTMENTS:

Solar Net Metering – Todd Bard:

Mr. Bard stated that once he receives the District's energy use data, he can have the District on a "gap" program for the period between now and the proposed water treatment plant going online, within about 30 days. The Commissioner agreed they would be interest in hearing more about the S.M.A.R.T. alternative on bill credit program. Mr. Bard will put together a report and provide the Board with more detailed information at their next meeting.

SUPERINTENDENT'S REPORT:

Tyngsboro and New Boston Well Fields:

Tyngsboro Well #5:

As stated at the previous meeting, after reviewing the qualifications of the contractors providing bids for this project, Tighe & Bond have determined Manosh does not meet the qualifications of the bid, and recommend awarding the contract to the second lowest bidder. Manosh did not contest, as it was very clear did not meet the minimum experience qualifications.

Commissioner Corey made a motion to award Maher Services, Inc., 17 Concord St., North Reading, MA the bid for Well #5 Replacement Well Construction in the amount of \$117,325.00. Seconded by Commissioner Morin. Motion passed unanimously.

Superintendent Michael Sheu stated the project is expected to begin approximately 30 days from the notice to proceed.

Chairman Zielinski polled the Board to enter into Executive Session at 6:05 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 6:20 PM. No votes were taken in executive session.

SUPERINTENDENT'S REPORT (Cont'd):

State Revolving Fund:

Superintendent Michael Sheu reported he contacted Richard A. Manley of Locke Lord, LLP to provide Bond Counsel services to the District. Assuming the District's bond is \$15M, the cost for their services would be \$26,250. Commissioner Morin made a motion to authorize hiring Bond Counsel Locke Lord, LLP at \$26,250. Seconded by Commissioner Corey. Motion passed unanimously.

SUPERINTENDENT'S REPORT (Cont'd):

Other:

Potential State of Emergency:

Mr. Sheu stated he and Office Manager Kelley Chasse have met to discuss a contingency plan, should the Governor declare a State of Emergency. Kelley Chasse stated, at this point, the office could get by with just the basic functions with only one office staff member, and the District will be cutting back or not making any appointments inside residences, and the District could operate with only one field services staff member on duty if necessary. The District's IT staff could set up VPN accounts if it becomes necessary for staff to work from home.

The Commissioners agreed, as the situation stands this evening, they do not see a need to quarantine any staff who have or plan to travel if they are not experiencing any Coronavirus symptoms and have no knowledge of being exposed to the virus. The situation will be monitored on a day to day basis, including whether or not staff would be paid if they exhausted all of their sick and personal time.

Mr. Sheu reported the Attorney General's Office is recommending gatherings of more than 1,000 people be cancelled. At this point, the NEWW conference is still going to take place as scheduled, and the Commissioners still plan to attend. Mr. Sheu asked that the Commissioners let him know as soon as possible if they decide not to attend the conference so that he can cancel within the time period required in order to get a refund.

Meeting with the Town of Tyngsboro:

The DWSD Board of Commissioners are the first order of business on the agenda for the March 23, 2020 Tyngsboro Board of Selectmen's meeting at 6:00 PM. Tighe & Bond, the DWSD's engineers, will be attending the meeting as well. The Secretary will post the meeting, in accordance with the Open Meeting Law, as all Commissioners plan to attend.

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:

Ongoing

State Revolving Fund:

Addressed earlier this evening

OLD BUSINESS (Cont'd):

Mass DEP Asset Management Grant Application:

Ongoing

Meeting with Town of Tyngsboro:

Addressed earlier this evening under Superintendent's Report

NEW BUSINESS:

Treasurer's Review:

Addressed earlier this evening under Treasurer's Report.

Purchase of property at 24 Preston Street, Dracut:

Nothing new to report

Update on easement at State Forest Park, Parcel 5:

Tabled

Proposal for Adjusting Office Clerk's Salary:

Superintendent Michael Sheu asked that the Board consider increasing the salary of the Office Clerk position. This position is currently at just about the minimum wage; far below industry standards. Office Manager Kelley Chasse stated Erika Tanguay (current DWSD Office Clerk) has been doing a tremendous job. Commissioner Corey made a motion to increase the DWSD Office Clerk position by \$4.00 per hour effective immediately. Seconded by Commissioner Morin. Motion passed unanimously.

Emergency & Non-Emergency Response Plan:

Tighe & Bond is preparing a proposal for the Board's review for the next meeting.

Risk Assessment and Emergency Response Plan:

Tabled

Draft 2020 Annual Meeting Warrant Review:

The 2020 Annual Meeting Warrant Articles were reviewed and voted on as follows:

(Note: changes appear in red ink)

Article #1:

To see if the District will vote to bring in the vote for Water Commissioner for a term of three (3) years and District Clerk for a term of three (3) years held by ballot;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #2:

To see if the District will vote to hear the reports of the Water Commissioners;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #3:

To see if the District will vote to hear the report of the Dracut Water Supply District Treasurer;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #4:

To see if the District will vote to hear the report of committees having direction from previous meetings;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #5:

To see if the District will vote to transfer from "Free Cash" July 1, 2019 certified amount of Six Hundred Twelve Thousand Two Hundred and Seven dollars (\$612,208.00) as follows:

Land/Property Acquisition Fund

\$412,208.00

OPEB Trust	\$200,000.00
Total	\$612,208.00

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #6:

To see if the District will vote to raise and appropriate or transfer from the Water Revenue Account the amount of Four Million Nine Hundred Ninety-Seven Thousand Five Hundred Six dollars (\$4,997,506.00) to defray costs for the ensuing Fiscal year beginning on July 1, 2020 to be expended as follows:

Salary, Wages and Benefits Account	\$2,055,583.00
Operations Expenses	\$2,941,923.00
Total	\$4,997,506.00

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #7:

To see if the District will vote to raise and appropriate or transfer from the Water Revenue Account the amount of Fourteen Thousand dollars (\$14,000.00) to defray costs for the ensuing fiscal year beginning on July 1, 2020 to be expended as follows:

Out of State Travel	\$14,000.00
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Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #8:

To see if the District will vote to authorize the Treasurer to enter into compensating balance agreements during the fiscal year beginning July 1, 2020, as permitted by Massachusetts General Laws, Chapter 44, Section 5F;

Or act in any other way relative thereto.

Submitted by Michael Sheu

Superintendent

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #9:

To see if the District will vote to transfer from the water revenue account the amount of One Hundred Four Thousand Seven Hundred Ten dollars (\$104,710) to balance the calculated amount owed on revenue earned for the Undersized Water Mains and Valves Account as established by the Board of Water Commissioners in FY 2003 for the period collected through June 30, 2019;

Or act in any other way relative thereto.

Submitted by Michael Sheu

Superintendent

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #10:

To see if the District will vote to authorize the Superintendent to sell off scrap metals and surplus, outdated or obsolete equipment as may accumulate during the year;

Or act in any other way relative thereto.

Submitted by Board of Water Commissioners

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #11:

To see if the District will vote to authorize the Treasurer, with the approval of the Board of Water Commissioners, to borrow in anticipation of revenue for the fiscal year beginning July 1, 2020, in accordance with MGL Chapter 44 Section 4 and the acts and amendments thereof; Chapter 849 of the Acts of 1969, as amended and to renew any notes as may be given for a period of less than one year in accordance with MGL Chapter 44, Section 17;

Or act in any other way relative thereto.

Submitted by Michael Sheu

Superintendent

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #12:

To see if the District will vote to set the annual salary stipend for the Clerk of the District to \$5000;

Or act in any other way relative thereto.

Submitted by Michael Sheu

Superintendent

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #12A:

To see if the District will vote to set the annual salary stipend for each Commissioner of the District to \$4,000;

Or act in any other way relative thereto.

Submitted by Michael Sheu

Superintendent

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #12B:

To see if the District will vote to set the annual salary stipend for the Moderator of the District to \$600;

Or act in any other way relative thereto.

Submitted by Michael Sheu

Superintendent

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #13:

To see if the District will vote to transfer from the System Development Fee (SDF) account Ninety Thousand dollars (\$90,000.00) as follows:

Repair and Replacement District & Site Account	\$90,000.00
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Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #14:

To see if the District will vote to transfer from the water revenue account the amount of One Hundred Four Thousand Seven Hundred Ten dollars (\$104,710.00) to balance the calculated amount owed on revenue earned for the Infrastructure Account as established by the Board of Water Commissioners in FY2016 for the period through June 30, 2019;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #15

To see if the District will vote to transfer from the Replace, Repair-Upgrade Infrastructure Stabilization Account Fund One Hundred Four Thousand Seven Hundred Ten dollars (\$104,710.00) into the Land/Property Acquisition Fund;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Note: This is a transfer from the Stabilization Account and will require a 4/5th vote for approval.

Article #16

To see if the District will vote to raise and appropriate, borrow and/or transfer from available funds such sums of money as may be necessary to defray District charges and expenses for the fiscal year beginning July 1, 2020 and to make appropriations for the same;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #17:

To see if the District will vote to designate Debra H. Vinal, Treasurer of the Dracut Water Supply District, to serve as Custodian of the Other Post-Employment Benefits (OPEB) Fund;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #18

To see if the District will vote to designate Debra H. Vinal, Treasurer of the Dracut Water Supply District, as Trustee of the Other Post-Employment Benefits (OPEB) Fund;

Or act in any other way relative thereto.

Submitted by Michael Sheu
Superintendent

Board of Water Commissioners Recommend Approval
Superintendent Recommends Approval

Article #19:

To see if the District will vote to authorize Debra H. Vinal, Treasurer of the Dracut Water Supply District, to execute and deliver the Investment Agreement with the State Retirement Benefit Trust Fund Board of Trustees on behalf of the Dracut Water Supply District;

Or act in any other way relative thereto.

Submitted by Board of Water Commissioners

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #20:

To see if the District will vote to appropriate a sum of money, not to exceed Seventeen Million One Hundred Fifty-Two Thousand dollars (\$17,152,000.00) to pay costs of making various water system improvements, and for the payment of all other costs incidental and related thereto, to determine whether this amount shall be raised by borrowing (including the borrowing of all or any portion of these funds through the Massachusetts Clean Water Trust);

Or act in any other way relative thereto.

Submitted by Board of Water Commissioners

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #21:

To see if the District will vote to appropriate a sum of money, not to exceed One Hundred Nine Thousand Seven Hundred Fifty dollars (\$109,750.00) to pay costs of a water system asset management plan, and for the payment of all other costs incidental and related thereto, to determine whether this amount shall be raised by borrowing (including the borrowing of all or any portion of these funds through the Massachusetts Clean Water Trust);

Or act in any other way relative thereto.

Submitted by Board of Water Commissioners

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #22:

To see if the District will vote to authorize the Board of Water Commissioners to acquire by purchase, gift, eminent domain, or otherwise, a parcel of land with the buildings thereon at 166 Frost Road, Tyngsborough, Massachusetts, owned or formerly owned by Daniel Boulanger, containing 3 acres, more or less, being the land described in a Transfer Certificate of Title filed in the Middlesex North District Land Registration Office in Book 188 at page 187, and to expend a sum of money from the land/property acquisition fund said land being acquired for the purposes of building an iron and manganese removal water treatment plant at the Tyngsboro Wellfield, and for all things pertinent to its rights and duties pursuant to its enabling act as amended;

Or act in any other way relative thereto.

Submitted by Board of Water Commissioners

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Article #23:

To see if the District will vote to authorize the Board of Water Commissioners to acquire by purchase, gift, eminent domain, or otherwise, a parcel of land with the buildings thereon at 24 Preston Street, Dracut, Massachusetts owned or formerly owned by Rosalie M. Lussier, containing 5,103 square feet, more or less, being the land described in a deed recorded in the Middlesex County Registry of Deeds in Book 01815, Page 0427, and to expend a sum of money from the land/property acquisition fund said land being acquired for the purposes of building a water field operation garage;

Or act in any other way relative thereto.

Submitted by Board of Water Commissioners

Board of Water Commissioners Recommend Approval

Superintendent Recommends Approval

Meeting Schedule

Chairman Zielinski announced the next meetings are scheduled as follows:

Tuesday, March 24, 2020

Regularly Scheduled Meeting

5:30 PM Main Office Building/Conference Rm

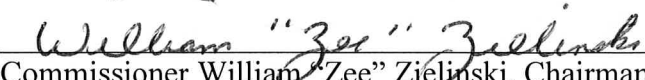
Tuesday, March 24, 2020

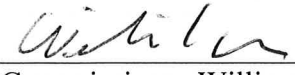
Executive Session Meeting for the purpose of

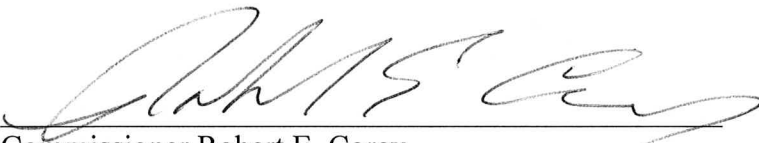
Discussing real estate acquisition and legal strategy thereto

5:45 PM Main Office Building/Conference Rm

Commissioner Morin made a motion to adjourn the meeting at 8:00 PM. Seconded by Commissioner Corey. Motion passed unanimously.


Commissioner William "Zee" Zielinski, Chairman


Commissioner William L. Morin, Vice Chairman


Commissioner Robert E. Corey