



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

MAY 23, 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, District Counsel Arthur C. Sullivan Jr. and Roland L. Milliard, and Recording Secretary Jayne Boissonneault.

MINUTES:

All agreed to table acceptance of minutes to the next meeting.

APPOINTMENTS:

Community Input:

112 Sladen Street:

Superintendent Michael Sheu informed the Board he advised the property owners the District cannot make a decision regarding the SDF fee until the Annual Meeting vote goes to the legislature for approval. Mr. Sheu also provided the Board with copies of the existing District Bylaw voted at the 2005 Annual Meeting, Article 22, "Existing Uses".

District Counsel Roland Millard informed the Board he contacted the Town's Building Department to ask how much was must be available (minimum water flow) per unit and is waiting for a response from the Building inspector. Mr. Sheu stated he believes this matter will require both Building Code and Board of Health approval.

Discussion ensued, and all agreed the District will be consistent in the formula used to calculate the SDF fee, as voted at the May 1, 2017 Annual Meeting, Article #18, for a similar development. This property has already paid one SDF fee, hence, the SDF fee for the proposed project should be $\$2,613.46 \times 5 \text{ units} + \$1,200.00$ for the existing service = $\$14,267.30$. Mr. Sheu will contact the property owners to request they attend the next meeting, along with the architect for this project.

APPOINTMENTS (Cont'd):

Mailloux Terrace:

Commissioner Corey informed the Board he was approached regarding standing water on Mailloux Terrace. Field Services Manager John Hudzik reported there have been hundreds of calls this spring because of water in cellars. We had a very wet season and the water table is very high. The District has tested the water in this area twice, and also hired an independent leak detection company to confirm there is not a water leak, and the water in this area is in fact ground water. Mr. Hudzik stated the property owners were very appreciative; the ground water has since dried up, and there have not been any additional complaints. If the Commissioners receive any additional inquiries, Chairman Zielinski asked that they refer property owners to the Superintendent.

DISTRICT COUNSEL'S REPORT:

There was nothing new to update the Board on under District Counsel's report with the exception of the following:

Norris Road and Lawrence Road Water Main Project:

District Counsel Arthur Sullivan reported RFS filed a bid protest which was denied by the Attorney General's Office on April 30, 2018. On May 4, 2018, RFS filed a motion for reconsideration of the AG's bid protest decision. This motion was denied on May 22, 2018. Notice to proceed was given to N. Granese & Sons on May 22, 2018. Both Attorney Sullivan and Attorney Milliard agreed the District's financial exposure is very limited, should RFS decide to continue with their bid protest to Superior Court to seek an injunction.

Mr. Sheu informed the Board a pre-construction meeting is scheduled next week, including the District's consultants and the Town of Tyngsboro.

Attorney Sullivan informed the Board Kathleen Graham, District Clerk, has forwarded Annual District Meeting May 12, 2018, Article #19 vote to petition the legislature to amend the enabling legislation relative to SDF fees to State Representative Colleen Garry and Senator Barbara L'Italien.

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

SUPERINTENDENT'S REPORT:

Tyngsboro and New Boston Wellfield:

Superintendent Michael Sheu reported Kevin MacKinnon of Weston & Sampson made a minor change to the design for Well #2A, reducing the size of the pump for this well, and expects to be ready to go out to bid on this project within four weeks.

SUPERINTENDENT'S REPORT (Con'td):

Tyngsboro and New Boston Wellfield (cont'd):

Mr. Sheu informed the Board the completion date for Well #3A is July 13, 2018, however, the contractor expects the project will be completed by June 28, 2018. This well has been producing a good amount of good quality water.

Norris Road and Lawrence Road Water Main Project:

Discussed earlier this evening under District Counsel's report

Metering replacement project:

Mr. Sheu informed the Board a pre-construction meeting for the metering replacement project is scheduled next week, with a project completion date 240 days from the start date.

Water Management Act:

Mr. Sheu informed the Board he, along with engineers from Tighe & Bond, met with DEP regarding increasing the District's water withdrawal permit. Mr. Sheu stated the process will be challenging in order to meet DEP requirements.

Nashua Road & Long Pond Water Main Design Proposal:

Mr. Sheu reported the Town has received funds from the State to re-pave Nashua Road, and stated the District may want to do water main improvements prior to paving. This main improvement project has the potential to allow the District to disconnect both Birchmont & Makos Street Pump Stations. The Commissioners agreed to have Tighe & Bond attend the next meeting to discuss this possibility further.

Mr. Sheu stated the District needs to talk about doing projects now vs. 5 years from now, as costs will only increase. Projects such as these can reduce the number of pumping stations and reduce the cost of purchasing water from Lowell.

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 has licenses and experience. This is the same candidate who applied previously, however, this individual now has medical clearance to return to work without restrictions. The Commissioners informed Mr. Sheu they were not adverse to considering this candidate as long as he can pass an independent medical exam/pre-employment physical stating he is physically able to perform the duties as described in the job description without restriction.

OLD BUSINESS (Cont'd):

Vacancy of Field Services Operator (cont'd):

Commissioner Morin made a motion to authorize the Superintendent to interview candidates for the Field Services Operator position and provide a recommendation to the Board. Seconded by Commissioner Corey. Motion passed unanimously.

NEW BUSINESS:

Solar Net Metering:

Superintendent Michael Sheu informed the Board the District has not seen any saving yet from NuGen-Capital. It appears the project has not come on line as quickly as expected, and the Commissioners agreed the District should be credited for the time/savings loss at the end of the contract. Chairman Zielinski instructed the Secretary to add Solar Net Metering/NuGen-Capital to the agenda for the next meeting.

Re-organization of the Board:

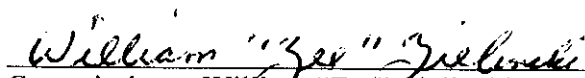
Chairman Zielinski instructed the Secretary to add Re-organization of the Board to the agenda for the next meeting.

Meeting Schedule:


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

Wednesday, June 20, 2018	6:00 PM DWSD/Main Office Conference Rm.
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.

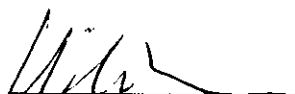
Commissioner Morin made a motion to adjourn the meeting at 7:30 PM. Seconded by Commissioner Corey. Motion passed unanimously.



Commissioner William "Zee" Zielinski, Chairman



Commissioner Robert E. Corey, Vice-Chairman



Commissioner William L. Morin