

*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 6, 2020**

Due to the COVID -19 Public Health Emergency, this meeting was held remotely via ZOOM

The meeting was called to order at 5:45 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 April 22, 2020 as presented. Seconded by Commissioner Zielinski. Motion passed two to one; Commissioners Zielinski and Corey in favor, Commissioner Morin abstained as he was absent for the April 22, 2020 meeting.

### **COMMUNITY INPUT:**

None

### **APPOINTMENTS:**

#### **Joe Lussier – requisition of 24 Preston Street:**

Joe Lussier and Patricia Blais, the children of owners of 24 Preston Street, joined the meeting representing their parents. Mr. Lussier informed the Board their parents will be turning 83 years old, and plan to soon be moving in with their son; selling the 24 Preston Street property. The purpose for their appointment this evening is to see if the DWSD is interested in purchasing this property.

Chairman Zielinski stated the District is interest in discussing the possibility, however, this would require a vote at the District's Annual Meeting to set the budget for the next fiscal year, the date for which is unknown due to the COVID-19 public health emergency and social distancing requirements.

**APPOINTMENTS (Cont'd):**

**Joe Lussier – requisition of 24 Preston Street (cont'd):**

Mr. Lussier informed the Board they received a market appraisal of \$475,000, however, realizing they would have to knock down the existing garage and prepare the home and property for sale, agreed the \$410,000 appraisal the DWSD had done is a fair price. Ms. Blais agreed.

Commissioner Corey stated he would like to re-visit this matter at the next meeting in order to provide a more definitive answer. Commissioner Morin agreed, stating the market is bound to crash in these uncertain times. Superintendent Michael Sheu stated that because there is so much happening with the DWSD right now, \$410,000 is a lot of money to spend.

Mr. Lussier and Ms. Blais thanked the Board for their consideration, and stated they look forward to discussing the sale of their property further.

**Todd Bard – Solar Net Metering:**

Mr. Bard sent a proposal for the District to sign on to another solar net metering project to cover the gap the District does not have in net metering credits. The program will work the same way as the current program, which has been a great success for the District. Mr. Bard stated this is a twenty-year contract with a cumulative savings of approximately \$146,575 over 20 years with a floating rate, which means that if the cost for energy goes down, the percentage the District receives will always stay the same, in this case, 10% per kWh.

Mr. Bard informed the Board if the District is interested, he would be signing on with either Altis or Zero Point solar projects, stating both have excellent reputations and it is really just a matter of which one goes on line first. Mr. Bard will get a contract to District Counsel for review as soon as possible, hopefully within the next 14 to 28 days. Because the District now has experience with how solar net metering credit programs work, the Chairman asked that District Counsel review the contract and let the Board know if they are comfortable making a recommendation; if not, the Board will discuss hiring the same Legal Counsel they hired to represent them with their current contract (Attorney Holland/KP Law).

**TREASURER'S REPORT:**

Treasurer Debbie Vinal provided the Board with a written detailed financial report ending April 30, 2020 pointing out receivables are at 82.53%, under by 1.47%. Mr. Vinal stated this is because due dates for bills were extended until May 31<sup>st</sup> during the COVID-19 public health emergency. Expenses are at 59.14%, under by 24.86%, again due to the COVID-19 situation.

**TREASURER’S REPORT (Cont’d):**

Mrs. Vinal informed the Board there is money in the budget in case the District needs to rent a tent to hold Annual Meeting. The Chairman stated the tentative plan for Annual Meeting is to hold the meeting on June 30<sup>th</sup>, at the DHS Auditorium, just prior to the Town’s Annual Meeting. Mrs. Boissonneault reminded the Board there would be a significant increase in expenses due to the need for PPE, cost for sanitizing the areas used at DHS to hold the meeting, additional staff, etc. The Chairman and Treasurer agreed there would be no problem with covering additional expenses, including costs for signage.

The Treasurer asked for clarification on the Asset Management Grant. Superintendent Michael Sheu explained the way the grant works as follows: The District will pay the total price for the project (\$109,750); the grant amount will be \$65,850 (60%), in-kind services valued at \$21,950 (20%), and the DWSD’s contribution of \$21,950 (20%). Mr. Sheu stated the entire project cost will need to be appropriated, and then the District will be reimbursed. The Treasurer & Superintendent will discuss how the Asset Management Grant works in more detail between now and the next meeting.

Chairman Zielinski asked that the Treasurer provide the Board with a hard copy (from Peter Fraser and/or Chad) of the detailed breakdown for funding the water treatment facility over the next twenty years prior to the next meeting.

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 this matter is on hold until such time as the Town of Dracut can hold their public auction.

**DWSD Acts & Bylaws Update:**

Ongoing

**166 Frost Road:**

The Superintendent informed the Board Attorney Smith (KP Law) has reached out to Attorney Murphy several times and has had no response. Attorney Milliard reported he has made three calls, sent two texts, and an email, with no response, which is out of character for Attorney Murphy. All agreed that they hope all is well with Attorney Murphy, and District Counsel will reach out again this week.

**Other:**

**Meeting with the Town of Tyngsboro:**

District Counsel drafted a letter to the Town of Tyngsboro’s Board of Selectmen and emailed it just this evening. The Commissioners and Superintendent will review and comment on the letter so that it can be sent out as soon as possible.

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

**State Forest Tank/Easement:**

Chairman Zielinski asked District Counsel if the easement for the State Forest parcel is all set and clear. The Superintendent informed the Board he has asked Tighe & Bond to give the District the conceptual design, and will provide an update at the next meeting.

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 Well Fields:**

**Tyngsboro Well #5:**

Superintendent Michael Sheu informed the Board the construction work for Well #5A is ongoing, and that if anyone would like to see the project, he would recommend they do so this week. Chairman Zielinski will meet the Superintendent at 7:00 AM on Friday, May 8<sup>th</sup> to see the project.

**Distribution System:**

**Water Service Connection Request/109-111 Coburn Rd., Tyngsboro:**

Mr. Sheu informed the Board he received a request for water connection for 109 and 111 Coburn Rd., Tyngsboro. The developer had originally intended to put wells in for these two homes, but now prefers to connect to the DWSD’s distribution system. Discussion ensued relative to the availability of water for this project. Commissioner Corey made a motion to inform the developer water is available for 109 – 111 Coburn Rd., Tyngsboro, MA by connecting to the existing 8” main with a hydrant, and in accordance with all Rules & Regulations of the DWSD. Seconded by Commissioner Morin. 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:**

At their April 22, 2020 meeting, the Board voted to authorize Tighe & Bond to begin to design of the biological treatment plant. The Superintendent informed the Board he contacted the property owner at 166 Frost Rd. to get his permission to survey his property for the Water Treatment Plant design. The property owner stated he is ready to sell the property. The Superintendent informed the property owner he must communicate regarding the sale of his property through his attorney.

**State Revolving Fund:**

Mr. Sheu informed the Board DEP has released final approval for the SRF funding.

**OLD BUSINESS (Cont'd):**

**Mass DEP Asset Management Grant Application:**

Mr. Sheu informed the Board DEP has released final approval for the Asset Management Grant. As explained earlier this evening under the Treasurer's report, Mr. Sheu stated the District would pay \$109,750, 60% of which will be reimbursed by the state, and 20% will be in-kind contribution, with the remaining 20% paid by the DWSD.

Commissioner Morin made a motion to hire Tighe & Bond to provide Engineering Service on the Mass DEP Asset Management Grant Project. Seconded by Commissioner Corey. Motion passed unanimously.

Commissioner Morin made a motion to fund 20% of the Mass DEP Asset Management Grant in the amount of \$21,950. Seconded by Commissioner Corey. Motion passed unanimously.

**Meeting with Town of Tyngsboro:**

As discussed under District Counsel's report, the Commissioners will review email updating the Town of Tyngsboro Board of Selectmen, which was just sent by District Counsel this evening, for their authorization prior to sending.

**Requisition of Property 24 Preston St., Dracut:**

Discussed earlier this evening under appointments. Chairman Zielinski asked that if any Board members are interested in looking at the 24 Preston St. property, to make arrangements to do that within the next two weeks, prior to the next meeting. The Superintendent asked that the Board consider whether or not there is a purpose for purchasing this property.

**2020 Annual Meeting & Election:**

As voted at the previous meeting, the DWSD Annual Election has been postponed to Monday, June 29, 2020.

All agreed to hold the 2020 Annual DWSD Meeting at the Dracut High School Auditorium on June 30, 2020, just prior to the Town's Annual Meeting, if that is in fact the date the Town's Annual Meeting is rescheduled to. Because the Governor has not lifted COVID-19 State of Emergency, a date certain cannot be scheduled for Annual Meeting at this time.

**NEW BUSINESS:**

**Risk Assessment and Emergency Response Plan:**

Tabled

**Update/180 (+/-) unit proposed apartment building project on Broadway Road:**

Chairman Zielinski reported he inquired about a proposed apartment building project on Broadway Rd. as discussed at the previous meeting and learned that the most recent plan was for four buildings with a total of 278 units. The developer has never contacted the DWSD to see if water is available or to request water service for the project.



**NEW BUSINESS (Cont'd):**

**Water Main Repairs at Primrose Village:**

Mr. Sheu reported there was a water leak at 23 Dana Ct in Primrose Village. This is a private development and the District would not typically make such repairs. Because the Home Owners Association was adamant that the District has made repairs in the past, the District agreed to repair the active leak this time, however, the Home Owner's Association was put on notice that this matter must be addressed at a meeting of the Board of Water Commissioners. Kelley Chasse will research the Minutes relative to Primrose Village and report back to the Board at the next meeting.

**Other:**

HR/Office Manager Kelley Chasse informed the Board the District has been following the guidelines set by the MA Department of Public Utilities for shut off of gas, electric, or water service until the Governor's COVID-19 State of Emergency is lifted.

The Commissioners expressed once again their appreciation for all DWSD staff during these unprecedented times due to the COVID-19 public health emergency, and asked that the Superintendent be sure the District has all of the personal protective equipment they need in order to stay safe.

**Meeting Schedule**

Chairman Zielinski announced the next meetings are scheduled as follows, via zoom:

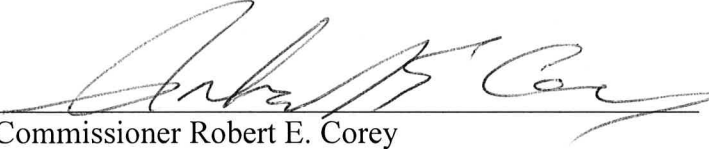
Wednesday, May 6, 2020	Executive Session Meeting for the purpose of Discussing real estate acquisition and legal strategy thereto 5:30 PM via Zoom
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Wednesday, May 6, 2020	Regularly Scheduled Meeting 6:00 PM via Zoom
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Commissioner Corey made a motion to adjourn the meeting at 7:28 PM. Seconded by Commissioner Zielinski. Motion passed unanimously.

  
Commissioner William "Zee" Zielinski, Chairman

  
Commissioner William L. Morin, Vice-Chairman

  
Commissioner Robert E. Corey