



Commissioners

Leslie Gay Corey

Peter Natsios

Chairman - William "Zee" Zielinski

Michael Sheu

Superintendent

Lynn Newhouse

Treasurer

MINUTES

JANUARY 31, 2024

The meeting was called to order at 5:45 PM

PRESENT:

Commissioners William "Zee" Zielinski/Chairman, Leslie Gay Corey/Vice Chairman, and Peter E. Natsios. Superintendent Michael K. Sheu, HR/Office Manager Kelley Chasse, Treasurer Lynn Newhouse, District Counsel Arthur C. Sullivan Jr. and Roland L. Milliard, and Secretary Jayne Boissonneault

COMMUNITY INPUT:

None

MINUTES:

Tabled

APPOINTMENTS:

5:45 PM – Steve Coravos/Sladen St. Water Connection:

Steve Coravos appeared before the Board and reported, after re-evaluating this project, he and his team decided they will not request a reduction in SDF Fees and agree to pay the full SDF of \$7,500 per unit for this twenty-unit 40B project as they pull the permits. Mr. Coravos stated he emailed the Superintendent all of the plans and documents and provided the Board with an updated plan as well. The project is expected to begin in April and the Brown Brothers will be the installers. Chairman Zielinski informed Mr. Coravos they may need to be bonded if they are not already on the DWSD's list of bonded installers.

Commissioner Gay Corey made a motion for the DWSD to provide water to Lewis Farm Village, consisting of 20 units at 133 Phineas St., Dracut, MA in accordance with all rules and regulations of the District. Seconded by Peter Natsios. Motion passed unanimously.

Kelley Chasse clarified the SDF Fee is due when the DWSD signs off on the permit.

APPOINTMENTS (Cont'd):

K St Tank Maintenance Project Presentation – Scott Kelley, Aqueous:

Tabled

TREASURER'S REPORT:

Financial Reports:

Treasurer Lynn Newhouse informed the Board she sent out an email a few weeks ago including financial report, pointing out that the District is halfway through the fiscal year. The Treasurer provided the Board with a detailed financial report ending December 31, 2023 pointing out receivables are at 53.86%, over by 3.86%, and expenses are at 42.25% under by 7.75%. The Treasurer reported the District has paid MA Clean Water Trust in July and in January and no additional payments are due for the current fiscal year.

Commissioner Gay Corey made a motion to accept the Treasurer's Report as presented. Seconded by Commissioner Natsios. Motion passed unanimously.

EXECUTIVE SESSION:

For the purpose of discussing potential litigation with the Town of Tyngsborough and the legal strategy thereto, and Water Supply Security:

All agreed to enter into executive session at the end of the open session meeting and reconvene only for the purpose of adjournment.

DISTRICT COUNSEL'S REPORT:

Acts/Bylaws Update:

Ongoing

Road Impact Fee

Tabled

SDF Fees – 35 Phineas Street:

No new updates

Letter to Makos Street Residents:

No new updates.

Memorandum of Understanding (MOU) between Tyngsborough Water District and DWSD:

No new updates (Attorney Bowen will draft an article for the Tyngsborough Water District to adopt MGL Ch. 40, s.39H.)

Agreement between DWSD & Town of Tyngsborough:

No new updates.

DISTRICT COUNSEL'S REPORT (Cont'd):

Easement Agreement – 55 Loon Hill Rd., Dracut:

District Counsel Arthur Sullivan reported the easement agreement for 55 Loon Hill Rd., Dracut, MA has been drafted, signed and recorded at the registry of deeds.

Lease Agreement extension with T-Mobile:

No new updates

Water Bill Dispute from 833 Nashua Rd.:

No new updates

Use of T-Mobile Pole for Tyngsborough Fire Police Department:

District Counsel Arthur Sullivan reported the Tyngsborough Police Department's telecommunications equipment has been taken off of T-Mobile's pole. District Counsel will be sending correspondence letting the Town of Tyngsborough/Tyngsborough Police Department know that if they would like to update their telecommunications equipment at this location they are certainly welcomed to do that, contingent upon review by the District's engineers, adding the DWSD has always welcomed public safety communications.

District Counsel Roland Milliard stated there may be ramifications with the RFP, and the District may want to require the Tyngsborough Police Department obtain an insurance binder to protect the District from any damages.

Commissioner Gay Corey made a motion to accept District Counsel's Report as presented. Seconded by Commissioner Natsios. Motion passed unanimously.

SUPERINTENDENT'S REPORT:

Tyngsborough and New Boston Well Field:

Treatment:

Superintendent Michael Sheu reported both generators for the Tyngsborough Wellfields are up and running. Mr. Sheu informed the Board that two lighting surge protectors have been installed at Well#5 and Well5A. Kelley applied for and received a grant for the District to fund the parts & labor through MIIA Insurance last year in the amount of \$8,300. In order to prevent this situation in the future, Mr. Sheu informed the Board Kelley has been diligently working on securing grant money and hopes to be approved for additional grant money next fiscal year to install additional surge protection at the Tyngsborough Well Fields.

SUPERINTENDENT'S REPORT (Cont'd):

Distribution:

K Street Tank Maintenance Project:

Mr. Sheu reported this tank was back in service on January 25, 2024. Bacteria samples were negative for Total Coliform and E Coli. VOC samples have slight detection which should dissipate once the water starts moving.

Mr. Sheu reported PFAS testing at the New Boston Well Field measured 20 ppt, however, this is not a violation because the District is not using the New Boston Well Field. Mr. Sheu asked that the Board keep in mind the New Boston Well Field is becoming less & less desirable to use.

SmartOps:

Mr. Sheu reported he plans to contact Gradiant about reducing the price for monthly maintenance in early spring.

Other:

Mass Clean Water Trust / LSL Planning Grant:

No new updates.

Commissioner Gay Corey made a motion to accept the Superintendent's Report as presented. Seconded by Commissioner Natsios. Motion passed unanimously.

OLD BUSINESS:

Tighe & Bond – Master Plan:

Water Treatment Plant:

Updates:

Mr. Sheu reported the delivery of the transformer is tentatively scheduled for February 8th and the water treatment plant should be online by April.

Water Storage Tanks at State Forest:

Mr. Sheu informed the Board he received a call from DCR stating they are not interested in swapping land. Chairman Zielinski asked if there is someone else the District can go to to present the District's case, adding he does not think one individual can represent DCR to deny the District's case as a public water supply. The NBWF has approximately 41 acres, and the District only wants enough space for an easement on parcel 5 at the state forest for a second water tank. The Board would like to see the engineering plan and agreed it would be in the best interest of the District to ask for assistance from our State Representative and State Senator. Commissioner Natsios added that while he understands DCR's concerns regarding environmental issues, the District is not looking for DCR to give up 33 acres of land, but only needs an easement for the water tank. Mr. Sheu stated he would send a follow-up email to DCR. District Counsel Arthur Sullivan disagreed, stating that rather than going back to the same person who turned the District down once already, the matter should be brought to our State Senator.

OLD BUSINESS (Cont'd):

Tighe & Bond-Master Plan - Water Storage Tanks at State Forest (cont'd):

Mr. Sheu made reference to an email from DCR regarding selling water to Pelham, stating this case and the land swapping matter have been reviewed by EOEa, an executive branch of the government, and advised that the District go through normal channels to negotiate with DCR. Chairman Zielinski stated his priority is not selling water to Pelham, his priority is the District, and to enhance the Dracut Water Supply District for the next generation and for generations to come. Attorney Milliard asked if there is a connection between the State Forest Tank and selling water to Pelham. Mr. Sheu stated the connection is only that both matters are DCR related. Attorney Sullivan pointed out DCR has not denied selling water to Pelham but simply informed the District they are reviewing the matter.

Attorney Sullivan stated the District was told in December DCR & DCAM were going to meet in January. No one has gotten back to the District regarding the State Forest Tank easement to his knowledge, and he will follow up and report back to the Board at the next meeting.

Undersized Water Main Repair/Replacement at Forest Park Ave.:

Mr. Sheu informed the Board the District received several phone calls from 41 Mascuppick Trail complaining of low water pressure. All acknowledged there is an undersized water main issue in this area; the District has already appointed an engineering firm and will be going out to bid to design the replacement of the water main.

State Revolving Fund:

No new updates

K Street Tank, Lease of Space on Water Tank – Verizon & T-Mobile:

Addressed earlier this evening under District Counsel's Report.

Other SRF Projects:

Birchmont and Makos Pressure Zone Evaluation:

No new updates

Kenwood Water District – Water Connections and system updates:

No new updates

NEW BUSINESS:

Legal Litigation from 63 Willowdale Ave:

HR/Office Manager Kelley Chasse appeared in small claims court on January 22nd to answer the complaint filed by the property owner at re 63 Willowdale Ave., Dracut and reported the court ruled in favor of the DWSD.

Chairman Zielinski instructed the Secretary to take this item off the agenda.

NEW BUSINESS (Cont'd):

Tyngsboro Police Department Antenna:

Discussed earlier this evening under District Counsel's Report. The Board agreed if the Tyngsborough Police Department wants to upgrade their telecommunications equipment they are welcome to do that, upon review by DWSD Engineers, adding the DWSD has always welcomed public safety communications.

Appoint Kelley Chasse Keeper of the Records nunc pro tunc:

District Counsel Roland Milliard informed the Board when there are requests for records, small claims court filings, etc., it is required to file with the "Keeper of the Records". Attorney Milliard stated the person who most suits this title for the DWSD is Kelley Chasse, and asked that the Board make a motion to appoint Kelley as keeper of the records from January 1, 2020 to date. Commissioner Gay Corey made a motion to appoint Kelley Chasse DWSD Keeper of the Records nunc pro tunc from January 1, 2020 to date, until replaced or resigns. Seconded by Commissioner Natsios. Motion passed unanimously.

The Board agreed this additional responsibility will be taken into consideration during Kelley's annual review in April.

On-Call Excavation Support Procurement:

Mr. Sheu informed the Board the District will need to go out to bid again for On-Call Excavation Support procurement. Mr. Sheu will ask Tighe & Bond what the maximum length of the contract and contract extension can be under procurement.

Commissioner Natsios made a motion to approve Tighe & Bond's proposal for Professional Engineering Services for On-Call Excavation Support Procurement 2024 in the amount of \$16,400 as presented. Seconded by Commissioner Gay Corey. Motion passed unanimously.

Treasurer's Review:

Tabled

Superintendent's Review:

Tabled. Mr. Sheu provided the Board with a copy of his current contract.

Other:

Chairman Zielinski asked that the Superintendent speak with the owners of Jimmy's Pizza to stop pushing snow up against our pump station building and to take pictures of damages caused.

Meeting Schedule

Chairman Zielinski announced the next meetings are scheduled as follows:


Monday, February 12, 2024	Bylaw & Policies Review Subcommittee 5:00 PM/DWSD 59 Hopkins Street, Dracut Conference Room
Monday, February 12, 2024	Regularly Scheduled Meeting Executive Session Meeting 5:45 PM /DWSD 59 Hopkins Street, Dracut Conference Room
Wednesday, February 28, 2024	Bylaw & Policies Review Subcommittee 5:00 PM/DWSD 59 Hopkins Street, Dracut Conference Room
Wednesday, February 28, 2024	Regularly Scheduled Meeting Executive Session Meeting 5:45 PM /DWSD 59 Hopkins Street, Dracut Conference Room

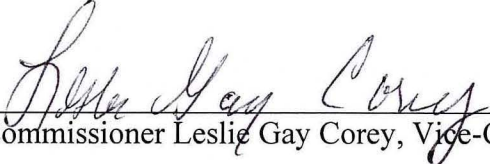
Chairman Zielinski polled the Board to enter into executive session at 7:17 PM for the purpose of discussing potential litigation with the Town of Tyngsborough and the legal strategy thereto, and to reconvene the open meeting only for the purpose of adjournment. Chairman Zielinski reminded those present anything discussed in executive session must remain in executive session and not discussed outside of the executive session meeting. The roll call vote was as follows:

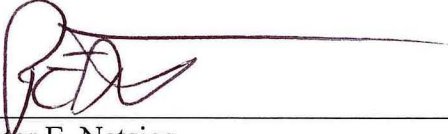
Commissioner Gay Corey	-	Yes
Commissioner Natsios	-	Yes
Commissioner Zielinski	-	Yes

The meeting reconvened at 8:18 PM. Chairman Zielinski announced one vote was taken in executive session.

Commissioner Gay Corey made a motion to adjourn at 8:18 PM. Seconded by Commissioner Natsios. Motion passed unanimously.


Commissioner William "Zee" Zielinski, Chairman


Commissioner Leslie Gay Corey, Vice-Chairman


Commissioner Peter E. Natsios