



LYNNFIELD CENTER WATER DISTRICT

The Commonwealth of Massachusetts

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***Minutes of the Special District Meeting
December 10, 2018***

Pursuant to the Warrant with return of service attached thereon, the legal voters of the Lynnfield Center Water District in the Town of Lynnfield, Massachusetts met in the cafeteria of the Lynnfield Middle School at 505 Main Street in said town on Monday, December 10, 2018.

The meeting was called to order at 7:02 P.M. by Constance E. Leccese, Chairwoman of the Board.

Chairwoman Leccese requested permission for the following individuals be admitted but without voting rights.

Nick Couris, Lynnfield Center Water District Foreman

Attorney Christopher Casey, District Counsel

Angela Moulton, CDM Smith

John Doherty, CDM Smith

Al LeBlanc, CDM Smith

Meredith Sullivan, CDM Smith

Trudy Reid, Town Clerk

Diane Hammerbeck, Notary

Susan Lambe, Lynnfield resident, poll worker

Kristen Shinnick, Lynnfield resident, poll worker

Annamarie Vandola, Lynnfield resident, poll worker

Wendy LaRovere, Lynnfield resident, poll worker

Pam Scantalides, Lynnfield resident, poll worker

Jennifer Welter, Lynnfield resident, poll worker

Members of the Press

There being no objection they were admitted.

Chairwoman Leccese, a legal voter resident of the District, read so much of the Warrant as precedes the Articles set forth within. Chairwoman Leccese announced that unless there was an objection, she would dispense with reading of the Articles until they could be taken up individually. There being no objection, she then read so much of the Warrant as follows the Articles set forth therein, including the signatures of the Water Commissioners on the Warrant and the return of service appearing thereon.



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Chairwoman Leccese then read Article 1 of the Warrant and announced that the first order of business before the meeting would be action on this article. On a motion made by Chairwoman Leccese, which was duly seconded, it was unanimously voted that Attorney Richard J. O'Neil, Jr. be chosen and sworn in as Moderator of the Meeting. Attorney O'Neil was duly sworn in by Notary Diane Hammerbeck.

DISCUSSION: The Moderator proceeded to welcome everyone to the Lynnfield Center Water District Special District Meeting. The Moderator briefly spoke on Roberts Rules housekeeping is all about order. If anyone has a question/comment, please stand and you will be recognized. Everyone will have an opportunity to be heard to make progress on this issue. There has been conversation in the community that the warrant articles as they are structured may not be the best approach. The Moderator simply asks for indulgence to start with Article 2 and let's hold off moving the Articles out of order. Mrs. Campbell asked how are we going to vote on the articles, ballot or by voice? The Moderator said we are going to try voting by voice but we have ballots. Trudy Reid responded we have yes/no slips color coded for each Article. You will rip it and drop your vote in the bin and throw out the remaining slip in the trash. We will conduct this in an orderly fashion. Once everyone has voted we will see what the count is. The Moderator proceeded to speak we are all friends and neighbors, if the sponsors of Article 2 wish to indefinitely postpone the Article and that is the will of this body then we will proceed to warrant Article 3.

The Moderator then read Article 2 of the Warrant. Chairwoman Leccese made a motion which was duly seconded and

VOTED: That the District vote to indefinitely postpone action on Article 2.

DISCUSSION: Gayle Richardson from 12 Keniston Road said there was a motion that was seconded to move Article 2 to the end. Does that go away because there was not a Moderator? Why isn't that motion being heard? The Moderator responded that standard operating protocol is to elect a moderator. A ratepayer asked why we don't make a motion to move Article 2 now. The Moderator said the body is a 2/3 vote, is there a sense we take a vote on Article 2, the body says no. If it is the will of the body to vote no and the will of the commissioners to indefinitely postpone Article 2, we will move to Article 3. The Moderator said there has been a motion to indefinitely suspend Article 2. A ratepayer asked will it come to a future meeting and will we have a motion to withdraw. A motion will be brought to withdraw Article 2 and once it has been made and seconded, will we have a chance to debate. All those in favor going forward to Article 2 say I and all those oppose say No, the No's have it. Chairwoman Leccese made a motion to postpone and indefinitely suspend Article 2. The motion was seconded. A ratepayer asked can we move Article 2 to the end of the warrant. Mrs. Campbell asked why the chairman made that motion and will we have a discussion. Chairwoman Leccese said the reason is the ratepayers have spoken and expressed concern we had not put in enough time to the study. When the studies are complete and we have determined what is best for the community then we may raise it again. The Moderator asked if there is further discussion on Article 2. Those in favor allowing indefinite suspension and if there is to be a future warrant article it will be presented at another meeting, say I: the I's have it.



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Mr. Robert Almy made a motion to move to indefinite postponement of Article 3 for Article 5 that goes to further a deadline for the study. The motion was duly seconded and

VOTED: That the District vote to indefinitely postpone action on Article 3.

DISCUSSION: The Moderator asked if there is any discussion and proceeded to read Article 3. The Moderator further said Mr. Almy seems to think these items are contained in Article 5. All in favor, say I: the I's have it. Mr. Almy then asked to move to Article 5.

The motion to move to Article 5 was made and seconded and to skip Article 4 to the end and the I's have it.

The Moderator then read Article 5 of the Warrant. Ratepayer Stephanie Rauseo made a motion which was duly seconded

to give a mandate to our commissioners to study and report additional sources of water to replace the existing water supply or supplement the existing water supply. The objective of this warrant is to understand options to increase the water supply and quality available to our customers. Efforts are being made through discussions with the DEP to minimize water restrictions imposed on ratepayers. The plan is to source all of our water through MWRA directly or to source MWRA water through the Lynnfield Water District or from one of the surrounding communities (Andover, N. Reading, Reading, Wakefield.) The estimated cost for this discovery is \$250,000. This report will be due by April 8, 2019 and will be presented in detail at the April 8, 2019 LCWD regular meeting. The funding source for this project would be from debt, potentially through low interest state loans, specific to this type of project and modest rate increases to our customers. Rate increases would be based on a new rate structure which increases with higher consumption. A YES vote on this Article will provide funding to study additional water sources to the District's water quantity and quality without spending 5.25 million dollars before we really have a cohesive plan to solve all our water problems.

DISCUSSION: Mrs. Rauseo explained her rationale for including the article as she asked the commissioners to separate the 2 phases and they said no. A few of us decided we should have a choice as this has nothing to do with the filtration system and this article is almost word-for-word Phase 2 of Article 2. This is for the study with a time limit; 4 months is a good amount of time. The District already has the engineers and we need an answer. Mrs. Rauseo further said she does not want a filtration system, MWRA water is good and feels MWRA is the way to go. The Moderator asked if there are any other comments. A ratepayer said this won't study the filtration for the people with brown water and is just to study an alternative water source. The Moderator said there needs to be a motion made and seconded to open for discussion. The motion was made and seconded. A



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ratepayer asked if we vote on \$250,000 to look at alternative sources will we be aware of the cost. The Moderator said that is the purpose of the study. A ratepayer asked what is the ballpark of the rates. Chairwoman Leccese deferred to Angela Moulton from CDM Smith, the District's engineer firm who said the rates will come out of the study and we are voting on the study now. She may have misunderstood the question. The people want to know what the rates will be for this article. Is the Article for supplementing or replacing the whole thing? We are being very ambiguous here. Mrs. Rauseo said we have a quantity and quality problem. The quality would be fixed with the greensand filter if there was enough water. That water is getting higher levels of iron and manganese. If we continue to use that water we need to do something and if we drill more wells the Ipswich River Basin won't let us take more water; that issue will be dealt with in Article 4. Article 5 is because we don't have enough water in the summer and for the future if more houses are built. We could supplement our water through South Lynnfield and there is a cost to build the infrastructure. In the meantime, we can also study to go 100% at the same time. We need to have a timeframe and how we will pay for it. A ratepayer appreciates the observations and wants to hear about the quantity issue as this is the first hearing about the quantity issue. When the wells were dug in the 1990's the quantity was not an issue. Angela Moulton from CDM Smith said the District receives water from 2 different watersheds, Ipswich River Basin and the North Coastal Basin. The Ipswich River Basin is a stressed basin and studies have been done to look at the Ipswich River Basin. The Ipswich River Basin has enough water to supplement the District's demands and to meet our demands with the North Coastal Basin. If Lynnfield's population were to increase by a certain percentage every year it could reach a point that the river may not be able to meet our demand. We have looked at the zoning and the population of the District and the District is built out and is not very likely to increase to the amount of water where we would be unable to meet demand. A ratepayer asked then why have water bans. Angela Moulton from CDM Smith said the water bans are imposed by the Massachusetts Department of Environmental Protection (MASS DEP) that sets 65 gallons per person per day and 10% unaccounted water and is a general regulation by the MASS DEP set to the entire state. Specifically within the Ipswich River Basin there are stream gauges that when it reaches certain trigger points it sets the ban in place. The 65 gallons per person per day applies to MWRA as well and with MWRA water conservation is still encouraged. A ratepayer said you mentioned another source but you didn't talk about it. Angela Moulton from CDM Smith said the District has a permitted withdrawal limit from each basin and if there is a certain trigger point, the District can attempt to use water from the North Coastal Basin. We have to maintain a certain volume and it gives the District flexibility to use one source over another throughout the year. Mrs. McLeod from Lowell Street said the Commissioners told us by 2030 we would be out of water. The Moderator said that comment is not told by the engineer. The studies are going to reveal a host of issues and hopefully remedies. Mrs. McLeod said I'm just making a statement that was told to us. The Moderator said this is not the 4 corners of the article. Lynnfield is one of many straws that pull into this source. Our town is built out pretty much but doesn't stop the other communities from growing and all we can do is find the best solution for our community. The next article is for the filtration system. Mrs. Lopez from West Tapley Road said there is not enough water to flush in the summer, quantity is an issue. Another ratepayer asked to change the wording to add to plan to source all or supplement all LCWD water. The motion was made and approved to make the change to Article 5 with the I's having it.

A ratepayer asked what is the makeup of the \$250,000; what amount will come from free cash and what is the responsibility of the ratepayers. Chairwoman Leccese said we do not know it depends on the magnitude of the study. A ratepayer asked how did you come up with that number and how did you pay for it? The Moderator said the District has resources. Chairwoman Leccese responded we



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will have an excess of \$500,000 in free cash this coming Fiscal Year based on our estimates. A ratepayer responded based on this you won't pass this expense on to the ratepayers? Chairwoman Leccese said we will put as little on to the ratepayers. Mrs. Nancy Piotrowski from Huckleberry Road said there are how many ratepayers in the district? 2700 ratepayers multiplied by \$10 equals \$270,000; can't everyone pay \$10? All those in favor to make a motion to move to question was made and seconded with the I's having it. Karen McAlmon from 23 North Hill Drive said the dollar amount needs to be a maximum in the article.

Mrs. Rauseo read the amended article and made a motion which was duly seconded and

VOTED: to give a mandate to our commissioners to study and report additional sources of water to replace the existing water supply or supplement the existing water supply. The objective of this warrant is to understand options to increase the water supply and quality available to our customers. Efforts are being made through discussions with the DEP to minimize water restrictions imposed on ratepayers. The plan is to source or supplement all of our water through MWRA directly or other sources. The estimated cost for this discovery is not to exceed \$250,000. This report will be due by April 8, 2019 and will be presented in detail at the April 8, 2019 LCWD regular meeting. The funding source for this project would be from debt, potentially through low interest state loans, specific to this type of project and modest rate increases to our customers. Rate increases would be based on a new rate structure which increases with higher consumption. A YES vote on this Article will provide funding to study additional water sources to the District's water quantity and quality without spending 5.25 million dollars before we really have a cohesive plan to solve all our water problems.

A motion was made and seconded and the I's have it, Article 5 passes.

Article 4: Mr. Almy read the article and to give context to the article mentioned, Mrs. Rauseo and himself worked on a proposal on supplemental studies to make the summer restrictions go away and look at replacing water supplies with MWRA if it makes economic sense. The study will look at a lot of parts. This study, Article 4, is to follow good engineering processes to address the water quality problems you all face. Mr. Almy doesn't have these problems but the District has to do something and as a ratepayer Mr. Almy is willing to pay to solve the real water quality problems people are facing. The Moderator said the warrant has been presented and is open to discussion. A motion was made and seconded to move to open the discussion: the I's have it to open the discussion. Ken MacNulty from Merrow Road asked to amend the main motion to provide the cost of water filtration systems to those individual homes adversely affected as described in the article. A ratepayer was curious about the cost of the study and has the District spent \$200,000 to reach a conclusion. What is the cost for the filtration study, will it be more than \$200,000? Mr. Almy responded his understanding is the engineering firm has made lots of progress with the study; Mr. Almy has made requests to see the details but we haven't seen that detail and can only guess. The \$200,000 is more than enough to bring the study to the public to see and discuss. Mr. Almy is comfortable with the amendment to provide that money to those directly affected with filtration systems. The District may choose to increase the allocation and that's a matter of policy; we aren't telling the District what to do tonight. The Moderator responded we flip-flopped the Articles and the last Article should meet the



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needs of the study. A ratepayer asked can you define what is the filtration system. Mrs. McLeod asked what about those who already put filtration systems in their homes? The Moderator responded I imagine you can petition the commissioners as anyone can to propose an amendment. Going into reimbursement is beyond the scope of the article. A ratepayer asked if the engineers started the study. Mr. Almy responded that the studies have been started and have been going on for a period of time. Those of us in the water industry want to see it available to the people. A ratepayer asked when will this study be done or will it be done simultaneously? Mr. Almy said the study should be done this week or next but does that meet the specifications of this warrant and demands certain engineering standards. A ratepayer said you are asking for \$200,000 for an additional study and doesn't meet the study being done; I will be the first No vote. The Moderator said will the district have the funds available to install filters. Nothing will be installed until the study is completed. Hopefully the study will determine what will be done for those affected. The first \$250,000 is for the study, can some of the \$200,000 be used for filtration. Mrs. Lopez said the amendment for Article 4 was to address personal home filtration systems. A ratepayer said we need to be clear what is going to what and how much. How do we decide who gets a filter and who doesn't. The Moderator said those are fair questions that the commissioners need to work on; I as moderator can't answer but it is their intention. A ratepayer asked why are we doing this study at the same time if the first study shows we need the water from Glen Drive, why wouldn't we wait for the results of the first study. Mrs. Campbell said the maker of the motion needs to explain the amendment so we can vote on it. We want it perfectly clear. As a comment, Mrs. Campbell said the greensand filter has worked at Phillips Road and that's why many of us don't have a problem with our water. Mrs. Campbell had visited the Phillips Road treatment plant about 3 years ago and could see the iron and manganese coming out as it was being filtered. Sources above the ground are more inclined to get pollution such as MWRA water. The rest of us may get discolored water when the water gets mixed. It is very important to vote for the greensand filter study. Mr. Riley asked is \$250,000 going to CDM or bid out to a contractor. Chairwoman Leccese said all our work is bid according to state law. Mrs. Rauseo said if we continue to use Glen Drive we will need to use a greensand filter but we aren't going to have enough water to filter. Nancy Piotrowski asked where are you getting your information are they on record to making this official? Mrs. Rauseo responded the Ipswich River Basin. Mr. Glickman on Maiden Lane said we need to get all the facts before we proceed. We don't know the total cost, options and greensand filter is one of the options. Let's get all the facts on the table before April and make a rational decision. A ratepayer spoke up that we need to be careful what we are approving. A motion was made to move the amendment and seconded:

The proposed amendment was called for a vote, those in favor to amend the main motion under Article 4 that the appropriation thereunder be applied to the costs of furnishing home water filtration systems for District customers whose water supply is being adversely affected by Glen Drive Well field consistent with procedures established by the Board, in addition to the study and design costs described in the Article.

The proposed amendment took to a vote by show of hands for the amendment and because the hands couldn't give a good number it went to a vote with yes/no slips. The vote results were received at 8:35 PM. The Moderator said we have reviewed the bylaws and it is a majority vote. That having been said, 230 people registered and only 180 voted for the amendment. The results are 86 Yes and 94 No; the amendment is defeated. We will continue on back to the main Article 4 and the Moderator will read the article once more:



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As proposed by ratepayer Robert B. Almy to see if the Lynnfield Center Water District (District) will vote to appropriate by transfer, or otherwise, a sum of money, not to exceed \$200,000 (Two Hundred Thousand Dollars), for the purpose of performing a feasibility study and preliminary engineering design for a filtration or other treatment system for removal of Iron and Manganese from water produced from the Glen Drive Well Field. Such evaluation and design to include cost estimates and proposed funding mechanisms for the recommended design. The results of such evaluations shall take the form of a formal report to the District and shall be available for public review in draft form for at least 60 days before being made final.

The Moderator further said a lot of comments been made about redundancy about commissioning another study. We move for further discussion, is there a motion and seconded for further discussion, signify by saying I. The I's have it. Is there any comment for Article 4? Laurie Toscano from Drury Lane asked what is the existing current study being done by CDM and how is it different from this proposed article. Angela Moulton from CDM Smith responded that following the June 4, 2018 selectman meeting, CDM Smith signed an agreement for a feasibility plan where CDM studied alternatives for treating manganese. CDM Smith concluded the greensand filter was the most economical and feasible plan. CDM Smith also did schedule and construction costs included in the plan. This plan has been ongoing since June of this year and is in draft form that CDM will soon turn over to the District. Laurie Toscano further asked what is the fee for the current study. Angela Moulton said the study that started in June is ongoing and cost \$50,000. Laurie Toscano asked when will the report be available. Angela Moulton from CDM Smith said it is under final review internally. The study includes the cost estimate of \$5.25 million. A ratepayer asked why is Mr. Almy asking for more money. Mr. Almy responded when he wrote the article asking for support, that information had not been provided and he didn't know what would be in the final report. There are 2 pieces, we need 25% design study as a basis for cost estimate, and need to know what the alternatives are for the greensand filter plant. I don't think the District would spend \$200,000 unless they have to get the answers. Mr. Almy picked a number out of his hat. A ratepayer said therefore we should wait to see what is produced in the next few weeks and determine if it is sufficient. I expect the details are in there to justify the \$5.25 million cost. Mr. Almy responded he agrees with the speaker entirely and wishes he had the information.

Members of District are asking Mr. Almy to withdraw the Article. John Scenna from Apple Hill Lane said there are several people in this room that have dirty water and live with it every day. While Mr. Scenna supports the studies, they take time and any solution will take 2 to 3 years to implement. The Moderator asked Mr. Scenna to identify himself. Mr. Scenna responded he runs a water system. He further said the answer better come very soon and wants to know what you are going to do with the individual homes that are bathing their kids because we can't tell if it is clean or dirty and we need the answer. The commissioners have a fiduciary responsibility and word spreads quickly. The Moderator responded this information won't be available tonight but the commissioners do meet on the 17th and hope they may have some answers at that time. Carl Johnson asked how many people by show of hands have dirty water. The Moderator said the estimate from the commissioners is about 40 houses. Mrs. Rauseo mentioned hopefully next Monday the commissioners will increase the \$200 for those really having the problems. We all want clean water. The Moderator asked Mr. Almy: what is the pleasure of the body. Mr. Almy said the most straight forward way is to have a vote, if you don't



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want this to happen, vote No. I don't need to have my way. This is a public meeting and it is up to you all.

The Moderator said as a point of order, if it is the pleasure of the body to withdraw it with a NO vote. Mr. Wills made a motion that was seconded to move the question. The Moderator asked for a vote to end the debate with the I's having it.

The Moderator called for a motion to vote to the main question of Article 4 which was duly seconded and the majority

VOTED: No for the District to appropriate by transfer, or otherwise, a sum of money, not to exceed \$200,000 (Two Hundred Thousand Dollars), for the purpose of performing a feasibility study and preliminary engineering design for a filtration or other treatment system for removal of Iron and Manganese from water produced from the Glen Drive Well Field. Such evaluation and design to include cost estimates and proposed funding mechanisms for the recommended design. The results of such evaluations shall take the form of a formal report to the District and shall be available for public review in draft form for at least 60 days before being made final.

The warrant article was defeated.

Moderator Attorney O'Neil made a motion which was duly seconded and unanimously

VOTED: To adjourn Sine Die.

The meeting adjourned accordingly at 8:52 P.M.

Respectfully submitted,
Christine Smallenberger, Clerk
Lynnfield Center Water District

A true copy, Attest _____

Notary - Diane Hammerbeck