



LYNNFIELD CENTER WATER DISTRICT WARRANT
The Commonwealth of Massachusetts
Regular Board Meeting
7:00 p.m. May 13, 2019

Date, time, place: The regular meeting of the Board was held on Monday, May 13, 2019 at 7:00 PM at the Lynnfield Center Water District office at 83 Phillips Road, Lynnfield.

Present were: Commissioners Robert Almy, Joseph Maney, Anders Youngren, Treasurer James Alexander, Water Foreman Nick Couris, Clerk of the Board Christine Smallenberger and District Counsel.

Absent: none

Also attending were: See sign-in sheet for ratepayers incorporated into the minutes hereto.

Additional attachments: Agenda, incorporated into the minutes hereto.

Next Regular Meeting: Tuesday May 21, 2019 at 7:00 pm

Adjourn: 10:30 pm

Action to formerly place on the agenda for new business item f).

Agenda Item 3. Board may go into executive session to discuss non-union employee negotiation.

Motion: A motion was made to take the agenda out of order and go into executive session and go back into regular session.

Second: The motion was seconded and the motion carried.

Motion: A motion was made to reconvene to regular meeting at 7:28 pm.

Second: The motion was seconded and the motion carried.

Two items were discussed in executive session regarding the retirement of Superintendent.

Motion: A motion was made to approve the payment of \$16,400.00 to retired superintendent for 6 weeks of unused vacation time.

Second: The motion was seconded and the motion carried.

Motion: A motion was made to approve payment to former Superintendent Burnham for unused sick days in the amount of \$71,103.50.

Second: The motion was seconded and the motion carried.

The Third item requires gathering additional information relating to payments for Blue Cross Blue Shield Supplement Medicare. This matter will be put back on the discussion for the next agenda.

Agenda Item 1. New Business.

- a) **Rules and Regulations.** The District currently does not have any rules and regulations we operate under and needs to have these adopted by the water commissioners as they were never formally adopted by previous boards. It is policies for breaks, private ways, liability for discolored water and things of that nature. We need to work up a draft and bring to the board and possibly adopt in the future as in steps or wholesale. Chairman Almy will volunteer to work with Office Manager and Foreman to bring draft back. The Commissioners will review the document and get us comments. Foreman Couris said it will be a working document that may needs tweaks and the whole document gives us good policies to stand behind different questions that we are asked regularly. Its gets us away from the case-by-case basis and these are our policies and procedures. This will be brought back in an open public hearing on future agendas.

Agenda Item 2. Old Business.

- f) **Superintendent Search.**

Motion: A motion was made to take item 2f from Old Business out of order and discuss prior to resumption of new business discussion.

Second: The motion was seconded and the motion carried.

Commissioner Maney is putting together a search committee for the Superintendent. Mrs. Campbell has a lot of questions regarding the search committee and Commissioner Maney said we would figure out the answers to the questions as a group. The board does not know how realistic it is to have this finished by July 1st as there will be a vetting process and the committee

will need to define that. The search committee will be an advisory committee to the board. Mr. John Tomasz is Director from the Lynnfield Department of Public Works was asked to be on the superintendent selection committee and spoke to the board regarding his qualifications. Mr. Tomasz has a good background and knows the questions to ask the candidates. Mr. Tomasz ran the water and sewer department in Rockport and in Hamilton and both had wells. Chairman Almy said the first task is for the committee to decide what responsibilities they want to assume and what they want to leave to the board and make a recommendation to the board and in the end the board is responsible. There are 5 candidates for the superintendent position. The committee will decide how it will operate. One commissioner will be on committee, possibly Commissioner Maney. We hope the committee will be made of 2 members of the District, 2 people who are water district professionals and have some interaction with the District and one commissioner. The committee meetings are strictly confidential until a recommendation is made to the board. District Counsel could do the vetting or whomever the board chooses. Mr. Ken MacNulty who is a resident of the District introduced himself and spoke on his 30 years of experience in the Human Resource field as well as being a member of the Ipswich River Watershed Association. Mr. MacNulty has recruited at all levels and feels the District needs to get this job right. Chairman Almy suggests you name the committee and get into the process and all questions will be answered. The board member on the committee can report back to us at standing meetings. The job posting is now closed and should we not find a qualified candidate the board can consider reopening the recruitment process. We posted the job on New England Water Works and Massachusetts Water Works and the District's website. The board will need to determine if this position will be an employee at will or a contract position. The board will need to give the search committee guidance for compensation and benefits. The questions will be asked the same for all candidates. The notes taken are your own notes and are to be kept private. Notes should be destroyed after the process is complete, which is perfectly legal. Mr. Finnegan from the Lynnfield Water Department is unable to participate in the search committee due to his many commitments. Chairman Almy asked if we need to expand the search for someone else and Mr. Tomasz feels the members of the committee we have is enough. Treasurer Alexander asked if the retired superintendent from the Lynnfield Water District would be interested and will reach out to him to determine his interest and availability. Mrs. Campbell is on the fence participating on the committee and wants to know what the expectations will be. Chairman Almy responded the board is simply looking for a recommendation.

Motion: A Motion was made that Mrs. Campbell, Mr. Tomasz, and Mr. MacNulty be offered a role in a committee to make recommendations to the board in hiring a superintendent. As part of motion, our request is you look for the opportunity to look for a 5th person but move forward if you are unable to do so in a timely manner.

Second: The motion was seconded and the motion carried.

Mr. Tomasz would like to see the job description, resumes and Mrs. Campbell's questions as he is ready to serve on the committee.

d) Street Paving. The DPW has given us a list of streets to be paved in the spring; the District typically sets the gate boxes that give valve access below grade and then re-sets

them. The possibility for doing infrastructure improvement, such as Beaver and Grayland Road, as the fire hydrants are original to the street need to be replaced. We have 2 hydrants in stock for emergencies; the typical install cost for a hydrant is \$5,000. The hydrant is approximately \$2,500 with another \$500 in parts; the total cost to replace the hydrants is \$8,000 and with the road open that is the time to do it. Once the street is fixed it is recommended we don't reopen the street for 5 years unless for a maintenance effort. There is some money in the budget to purchase 2 hydrants and in next year's budget there is construction improvement. The DPW doesn't plan to begin the project until July 8th and with the new budget we can bid out the job for the 2 hydrants and still have 2 hydrants in reserve. Commissioner Maney responded it makes all sense in the world to do it now. Commissioner Youngren asked if we hire a contractor through the bidding process. Foreman Couris hopes the cost will be under \$10,000 because the street will be paved and it is the smarter move to do this now. The District has 2 contractors we pick from. Tim Zanelli Excavating (TZE) who did the last few hydrants charges a flat rate of \$5000 for just labor. Chairman Almy asked if this is part of budget for this year and in the budget for next year and Foreman Couris replied that is correct. Chairman Almy said it makes sense to replace both. Foreman Couris further added the fire department appreciates the newer ones. There are around 440 hydrants in the District.

Motion: A motion was made to approve the expenditure to replace 2 hydrants as part of the town's repaving process prior to several streets on the list to be repaired.

Second: The motion was seconded and the motion carried.

- b) **Water Ban Restrictions and Fines.** The recommendation is for the board to review and approve adjustment to the existing District outdoor use restrictions and fine structure. Specifically 1) that the level of restrictions to modify to stipulate the hours of use from 8 PM to 6 PM when outside watering is allowed, 2) any outside watering is restricted to Tuesday and Saturday when a level 3 is in place (see the attached sheet). 3) The superintendent or his/her designee be authorized to change restriction levels when conditions dictate 4) fines to be increased from \$100 to \$250 5) the fines or citations be formalized and the address of customers fined be posted on the District's website. The fiscal impact would have little to no impact of personnel cost. We are aware people in the community want to irrigate their lawns more often but we have restrictions from our source water, the Ipswich River Basin and from the state water commission imposing drought restrictions from time to time. The District has found that there are a number of warnings and fines issued every year. Typically the maximum home that have been fined around 4 or 5 times. The idea is increasing the level of fines; they will reach the level of compliance sooner. We suggest to add a level of restriction between no restriction at all and the water ban effective early in summer and simply limit watering between the hours of 8 PM to 6 AM where they can water during periods of low evapotranspiration. The changes in level 3 allow watering on 2 specific days of the week, Tuesdays and Saturdays, which allow the Districts' tanks to recover as they drop quickly when people are irrigating their lawns. The superintendent or designee will be responsible for adjusting the levels and will be consistent with state suggestion. The last

page contains a sample of a Notice of violation that will be a form in triplicate where a copy will be left at the property where the violation occurred, 2 brought back to office, where 1 is to be kept in the files and the 3rd copy mailed with the fine to the property owner. The fine schedule should be listed on the form so if they keep irrigating illegally the fines get bigger. Foreman Couris said to alter that water use restrictions would be governed by calendar date for level 1 and 2, level 3 and level 4 correlate with state of water conservation and with Ipswich River Basin river gauge, and if the Ipswich River Basin gauge drops we have to trigger another level of water restrictions. Hopefully we can be in level 2 for most of the summer. Level 3 is the trigger for stream flow would trip and after that the state would mandate or operations would take control such as drought emergency or operational emergency. Chairman Almy said we need to put word out to the residents they only need to an inch of water on their lawn every week. We will put out the notice to the District. The focus at the upcoming workshop is on smart water use. The hierarchy for fines is as follows: 1st violation is a warning, the 2nd is a \$50 fine and notice 3 through 4 is \$100 each and violations of 5 or more bump up to \$250. The District patrols during business hours and hands out violation notices as well as patrol off-hours. A few communities in the area also put the list of violators on their website so their neighbors can see who was caught, other residents can see we are doing our part. The board can determine at which level we put the violators on the website. Commissioner Youngren asked how often fines can be levied which will be a board decision. Typically, if they receive a fine in the morning, official notice will be left at the home and most likely won't be fined until 24 hours later. There has to be a level of responsibility at the homeowner. If the board chooses to relieve the fine, the amount will go away but the level of violation will not go away if they are caught again. We need to ask auditor if we lien someone for fines. We will need to ask District counsel if we can publish the addresses that were fined. During water patrol the operators use a test to determine if there is chlorine in the water and cross check from our own Well list to possibly determine if there is a cross connection. The District cannot publish the homes with wells. The well list is an evolving document. The District has a by-law regarding irrigation systems that are required to have rain sensor yet has not used the by-law. Mrs. Campbell feels that the 8 PM to 6 AM time of watering is too long. Commissioner Youngren asked if it is possible to put a sign on the town common so people drive by can see it. The District will put the information on the website and will put the levels of restriction as signage in major intersections, the 4 corners entering Lynnfield, Summer Street and Walnut Street and up for the season. They will be changed as the level of restriction changes. We will put the information on social media, and in the paper and a press release. The District may do a text message and email blast via the Code Red/Reverse 911 for the water restriction change. We also get a lot of phone traffic after they receive a Reverse 911 phone call so text and emails may be better. We can put the new restrictions on the Consumer Confidence Report (CCR). What about someone with a hose attached to a sprinkler? Chairman Almy said we can't control how people turn on/off their sprinklers but they do have to pay for the water. Foreman Couris said last year was a full out ban and people were still watering and we pumped over a million a day.

Motion: A motion was made to accept the water ban restriction fines in its entirety with the caveat that we get District counsel opinion to publish the addresses of the violators.

Second: The motion was seconded and the motion carried.

- c) **Update to Conservation Rebate Form for Front Loading Washing Machine.** At the time this rebate was adopted, the only high efficiency machine was a front loading washing machine but now they make other washing machines that use significantly less amount of water deeming it a high efficiency washing machine. The third line of the rebate form would change from Front Loading Washing Machine to High Efficiency.

Motion: A motion was made to adopt an updated conservation rebate form for front loading washing machine based on revised date of 3/23/2009 updating word from front loading to high efficiency.

Second: The motion was seconded and the motion carried.

e) **Summer Workload.**

- i. Potential temporary hire. Last year was the first year we had hired summer help that performed various tasks such as cutting grass, cleaning trucks, painting hydrants, and general maintenance. We would like to keep the program going and associated with that to keep program going forward, would we want to hire 2 people. We will speak with the high school to get candidates and give preference to District residents. If we hire 2 people, hire back 1 person next year to train a new person. One person is enough for summer help yet if we have 2 people we would send them out together. Last year we paired summer help with one of our operators for safety reasons when an operator was on vacation. Commissioner Maney wants to ask about e) ii. To determine the needs of hiring.
- ii. Summer Maintenance Expenses. The operators intermittently maintained the grounds but we do not have a lawn mower at this time and have recently subcontracted it out. We received quotes for new lawnmowers from \$4800 to middle of the road at \$7800 and the numbers climbed. We received a quote from one landscaper in town for maintaining the property, \$400 for clean-up of the beds and mulch and \$100 for weekly mowing of the office and each week alternate the well fields and other properties around the lagoons, small parcel of land at the corner of Ivanhoe and Main and a small parcel at Wing Road. The people we hire could do the work but we don't have the equipment. The issue with summer help is the restrictions we would have depending on the age of the hired summer help. We could use our small trailer to transport the lawnmower to the other areas. There is probably a combined of 2 acres of land we need to mow. Getting a landscaper to mow the fields every two weeks is the way to go. The landscaper will bill us monthly. We will look into getting a certificate of insurance on file that shows he is paying compensation. If your contractor isn't paying the proper taxes it could come back on the customer. If they don't have insurance we don't want to deal with them. If we hire landscaper, what remaining tasks would we have for the summer help? The summer help would work with

the operators by maintaining facilities, painting hydrants, more labor-based independently when necessary and with the operators when available. If we hire a landscaper one is enough.

Motion: A motion was made that we contract with Lamusta Landscaping LLC to maintain and clean up the District's landscaping properties in accordance with Lamusta Landscaping's estimate dated 5/13/19 and demonstration with proof of proper insurance.

Second: The motion was seconded and the motion carried.

Motion: A motion was made to authorize Foreman Couris to publish and hire summer help with no more than 40 hours a week at a rate of \$15 an hour with Foreman Couris as direct supervisor with a preference of a District resident and to contact the Lynnfield High School and advertise as necessary to hire summer help to fulfill the duties as assigned.

Second: The motion was seconded and the motion carried.

- f) **Added item – emergency repair of security system.** Emergency repair arose after the posting of this agenda. The state guidelines allow us to add an emergency item upon vote of the board at the open meeting.

Motion: A motion was made to add item 1F to tonight's meeting.

Second: The motion was seconded and the motion carried.

The camera system in the office is 20 years old and oversees the parking lot and the grounds at 83 Phillips Road. Wayne Alarm informed us the system has failed and is out of date and can't be replaced. Wayne Alarm gave us a few options to replace it and the middle of the road option was about \$4,358 dollars to replace the 4 cameras with high definition cameras and replace the DVR with a new DVR system and use the same wires in place. The next level is running new wires and an IP system and would be a larger venture. We have in the security line item about \$3100 and the rest of it would come out of building maintenance line item. This security system is only for Phillips Road. We partially looked into the other satellite locations but we don't have internet access at those locations. We have done work with Wayne Alarm in the past and they are very fair with us. The original company that installed the equipment is no longer in business; we reached out to the manufacturer and the closest rep. is in New York and it would be a substantial cost to have them come out and look at it. The new system can be set up to be online and viewed remotely and restricted to only District personnel. This is just for the system and installation and not for a contract/service plan.

Motion: A motion was made that we contract with Wayne Alarm Systems to replace the existing security system with a new security system in accordance with Wayne Alarm Quote WYNQ2675 dated May 2, 2019.

Second: The motion was seconded and the motion carried.

Agenda Item 2. Old Business.

- a) **Cross Connection Issues.** Customer had an ongoing cross connection issue after the last meeting before we had a chance to contact them the situation has been handled. All known cross connections have been removed.
- b) **Public workshop – Ipswich River Basin May 15, 2019.** The District was asked to participate and Chairman Almy put together a presentation and can easily modify it dependent on the comments received tonight. The board reviewed the presentation and looks good.
- c) **MASS DEP Non-Compliance.** Following the last meeting's vote and naming the primary operators, Foreman Couris contact Tom Mahin at the DEP and informed them of the action. The District is now compliant and we submitted all the paperwork. Informally, they gave us the ok but we have to wait for what the letter says but it is not out of the realm of possibility.
- d) **Station #2.** Foreman Couris told the board Station #2 is back online and at this point we are still running manually only for safety aspect until we are all comfortable with it turning off by itself. Water quality is what we expected and testing is good. Running it during the day and are getting in the process of removing ourselves to start off and shut off on its own and hoping this weekend it should be fully automated. When it is fully automated, it represents 20% of the yield when fully productive. We are doing 100 to 125 but 160 is our safe yield. We are permitted for more but we tread lightly.
- e) **Cell Site Lease RFP.** Clerk of the District Taschner said the superintendent was designated the Chief Procurement Office and it was grandfathered. The auditor will question what bids were done to see if he's in compliance. As long as you are following Chapter 30B you should be fine. In the RFP we don't need to use a CPO. Can we make the RFP available on website? 3rd party companies would want to lock up space and we don't want to sublet. Because it's a sealed bid, you can't send it electronically. Have them give us several copies and deliver a sealed bid including a CD with a pdf copy. We will respond to both so we will need 2 separate responses and will reference the descriptions of the Knoll Road site. There should be 2 separate bid packages, 1 RFP inviting 2 RFP responses. Wing Road is far more valuable to the lessee's. Clerk of the District Taschner will email him the original RFP from 1999. There is reference to sending the RFP responses to the acting superintendent so we should have them sent to Foreman Couris as he is responsible for legal day-to-day operations. The current RFP requires \$1 to \$2 million in limits for liability insurance by 1999 standards. We will need to contact MIIA and they will let us know. The 1st lease to expire on December 31, 2019 is AT&T. Sprint expires in June 30, 2020 and T-Mobile September 30, 2020. Commissioner Youngren will have rough draft soon and send to Attorney Casey to review to make sure it is appropriate. We will need to add dates to make sure it works

and need to have 2 weeks' notice before the due date. Commissioner Youngren would like to have contacts with the lessee's. We will need to let them know about the process. The cell providers will have to have a lease agreement to go before the zoning board. There needs to be a paragraph with existing tenants and if you are the winner you need to co-locate with existing tenants. We may want to set a minimum bid.

- g) Overview of Rates and Rate Setting.** Discussion where we may be headed. Commissioner Youngren inquired as to how long it will take to put a new rate structure in place. New rates would have to go in effect sometime in November. November bills will not be retroactive and rates will be published before November 1st. Commissioner Youngren inquired how much time we have so we don't have same issue. It's worthwhile to have an advisory committee. Commissioner Youngren would be the commissioner liaison to the committee. Perhaps put on the website, advertise in the paper and put out interest for those who want to participate in the committee. Rate study gives you option to how much water you need to sell for your budget. The trend is to move away from taxes and go to 50/50 to capture the dollar amount in the tiers. A rate study could cost \$20,000 to \$25,000 and they will look at usage and cost structures and give us a rate that fits our needs. A committee could do it with guidance and expertise. Chairman Almy will draft up a press release and Foreman Couris will be the technical liaison.

Motion: A motion was made to direct development of a committee between 5 and 8 including 1 of our board members.

Second: The motion was seconded and the motion carried.

- h) Status of Technical Studies.** Chairman Almy has a meeting tomorrow to discuss the status of the MWRA supplemental supply study and to talk about using the model for operational purposes. CDM Smith's lead engineer has returned from maternity leave; the District had less than optimum communications and response up to this point. Mrs. Rauseo said the report was due the first week in April. The December 2018 study Mrs. Rauseo was given has all the information in it and lists costs, how long it takes and what our bill would be. We have the study already. She has read through several times. If we went 20% supplement, they estimate \$20 average per customer but don't say we have to build a greensand plant. Chairman Almy said several things have changed since when CDM Smith put this report together. Since then, Peabody decided not to connect to MWRA and therefore the cost of the pipeline to serve all of Lynnfield would be borne entirely from the District so that number has to change. The study wasn't a good study of wheeling through LWD. This study is about upgrading the system to see if we can get the water. The MWRA charges \$3.58 per thousand gallons which is substantially more than we pull it out of the ground.

i) Topics for future agendas.

i. District infrastructure and facilities. Foreman Couris will give the commissioners tours of the facilities.

j) Consideration of filter rebate program. A cartridge filter will filter out the suspended material. An iron and manganese system costs approximately \$200. \$300 to \$500 including the purchase and installation of the filter is a more realistic cost. Commissioner Youngren is concerned with those impacted and it is the District's responsibility to filter out the iron and manganese problems. The area where we get complaints and where the guys have identified a quality problem. It was recommended to look for information that recommends the nature of filtration, i.e., white paper from DEP or EPA that clearly states what you need. Another suggestion was to look into specifying a filter kit and District buys them wholesale. The topic will be brought back at another meeting. Who would qualify for the program? Two ways in the past where we identified a problem: the area where we get complaints and the second is where the operators have identified a water quality problem. The problem area is not well defined but have expanded since the development of the filter rebate program as people are calling to get their calls logged to be eligible for a filter. The District has not been able to verify brown water outside of the core area. In the last 6 to 9 months we have received a handful of calls and correlates with street sweeping, opening a hydrant. The homes we tested, all but 1 came back well within the standards and there is no obvious cause.

Agenda Item 4. Review and Approve Minutes of Prior Meetings.

Minutes were not approved at this meeting.

Agenda Item 5. Public Comment for any Topics not listed on this Agenda.

No further public comments at this time.

The next board meeting will be on Tuesday May 21, 2019 at 7:00 pm at 83 Phillips Road.

Agenda Item 6. Board review and approval of payroll, A/P Warrant(s) and Rebates.

The Board deferred reviewing and approving payroll, and A/P Warrants to the next meeting on May 21, 2019.

Chairman Almy made a motion that was approved and the meeting adjourned.

Respectfully submitted,