



**LYNNFIELD CENTER WATER DISTRICT WARRANT**  
**The Commonwealth of Massachusetts**  
**Regular Board Meeting**  
**7:00 pm March 9, 2020**

**Date, time, place:** The regular meeting of the Board was held on Monday, March 9, 2020 at 7:00 PM in the Break Room at Town Hall, Lynnfield.

**Present were:** Commissioners Robert Almy, Anders Youngren and Joseph Maney, Superintendent John Scenna, Treasurer James Alexander and Clerk of the Board Christine Smallenberger

**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:** Monday March 23, 2020 at 7:00 pm in the Maney Room at Town Hall

**Adjourn:** 10:41 PM

The meeting was called to order at 7:00 pm and is being recorded for the purpose of producing minutes. The board voted to move agenda items and discuss the filter rebate discussion.

**Agenda Item 2: Filter Rebate. Appeal from Mark Coscia, 5 Juniper Road.** Mark Coscia of 5 Juniper Road presented dirty filters from his home. His rebate application was denied because he is not in the area of discoloration/concerns and no records of complaints to date. The criteria needs to be clear for the problem areas. Others have applied and been rejected. Commissioner Almy would like to defer this to the next meeting so the board can review the other applications as well. The board should have an answer at the March 24<sup>th</sup> meeting.

Scott Cohen was in attendance to speak with the board about purchasing a parcel of land at 19 Saunders Road. He falls short of development requirements and wants to purchase a piece of our land. He is interested in as small as 1200 square feet and upwards of 10,000 square feet. He needs this land from us to fulfill the per bedroom land drainage requirement. Chairman Maney responded this is premature, we have supplemental water issues including adding more wells in this area. We do not foresee selling land anytime soon as there are 7 active wells in that area. Superintendent does not recommend selling land as we are looking to increase production and expand well development. No answers will be given regarding this until at least this time next year.

Motion: a motion was made to extend closing the warrant to 9 PM.

Second: The motion was seconded, and the motion passed by a unanimous vote.

### Agenda Item 3. New Business

- b. **Post-Employment Benefits Annual Review with Bartholomew.** Bartholomew, the District's post-employment fund manager presented an overview to the board. With healthcare going up 5-12% and people living longer, the money we used to make is down quite a bit. It could impact our bond rating and credit rating, S&P looks to see if we are at 6.5%. GASB75 changed it to back in 2018 as unfunded liability. The account is a conservative risk profile/approach. We determine what to put in on an annual basis from our actuary study that recommends approximately \$26,000 annually; this numbers comes off the actuary report. We will get a copy of the latest actuary report to Bartholomew.

Motion: a motion was made to receive and file the report and the treasurer will forward the KMS Actuary report to Bartholomew.

Second: The motion was seconded, and the motion passed by a unanimous vote.

- a. **Presentation of Scope of Services for Everett Bank.** Samantha Romboli and Richard O'Neil presented the mission of Everett Bank to the board. We can easily transfer money to accounts and if we don't need to use the money, we can put it into a money market account. Everett Bank offers debt consolidation, credit services, and has state services attached to libor rate. Everett Bank is a mutual bank with no shareholders and great flexibility.

Agenda Item 1. Close Annual Meeting and Special District Meeting Warrants at 7:30 PM.

- a. **Presentation and Discussion of Warrants for Annual District Meeting and Special District Meeting.** Article 5 is the operating budget, come June 30th the current budget goes away and goes to free cash with a brand new budget. Article 5 approved the budget and the only thing that matters is the bottom-line number. Article 1 in the Special District Meeting is to put more money in this year's operating budget and appropriate out of free cash. Article 2 is to revisit the budget and up that number and allocate money to it. Four more articles will be added: purchase software and upgrade billing, tank rehabilitation and design for CDM to spec, North Coastal well development of station 3, and AWAI risk resilience development (emergency response plan).

Motion: a motion was made to close the warrant articles pending those changes.

Second: The motion was seconded, and the motion passed by a unanimous vote.

With the Special District Meeting, Article 2 is the same language for the operating budget, but we are just upping the dollar amount. Article 3 is to add more money for the septic project and move it to building infrastructure. Article 3, 6 and 7 is \$32,000 from free cash and to redistribute some from the budget. Article 4 and 5 is for money to be put in for capital programs. It is similar to the articles, but just capital programs/projects as defined by state law of \$25,000 or more. This fall we will have a pocket of money to pay for some, you can also use for debt as a debt stabilization fund. Dick Hingston said you need to put in separate bank account called a stabilization fund. The only way to move money is a vote of the District. Article 4 creates it and Article 5 puts it in. This will leave us about \$25,000 in free cash. We have \$75,000 in reserves and in addition to our articles, it shows us that we are fiscally responsible. This is a good time to let free cash drop to create this fund to tell your story.

Motion: a motion was made that the Special District Meeting warrant be closed, with those changes.

Second: The motion was seconded, and the motion passed by a unanimous vote.

- b. **Discuss Details of 4/6 ADM, SDM and Board Meeting.** The plan is to open the Annual Meeting at 7pm and move to the Special District Meeting at 7:15 pm. The presentation of supplemental water will be done as part of the board's regular

meeting. Joe Markey will be the moderator; Diane will swear in the new commissioner and certify minutes. Clerk of the District Taschner will write up the minutes.

- c. **FY21 Operator Employment Handbook.** For the record, the Board has been discussing changes to the handbook for a few months now. The Board looked at the handbook in terms of being fiscally responsible that benefits both the District and its employees.

The only change in Section A was adding  $\frac{1}{2}$  day holiday on Christmas Eve and New Year's Eve.

Motion: a motion was made and moved to approve Section A for adding  $\frac{1}{2}$  day holiday on Christmas Eve and New Year's Eve.

Second: The motion was seconded, and the motion passed by a unanimous vote.

Motion: a motion was made for changes to Section B for accruals relative to personal and vacation (see handbook). there were 5 changes: vacation, personal and sick time will not be accrued, used and managed in hours as opposed to days. Use of vacation accruals must be approved by the Superintendent with a minimum of 7 days prior notice. Up to 40 hours of vacation accruals can be used in a minimum of 4 hour or greater increments; the balance shall be used in full day increments. Up to 8 hours of personal time accruals may be used in two hour increments; the balance shall be used in full day increments and can be used without seven day prior notice., Up to 5 days of vacation can be carried over from one FY to the next. Said vacation must be within be used within the first 3 months of the new fiscal year. Personal time cannot be carried over.

Second: The motion was seconded, and the motion passed by a unanimous vote.

Motion: A Motion was made for Section B to have a cap on sick time accrual: #6 creates a cap on sick accrual, accumulated up to a maximum of 1,440 hours. #7 is whenever employment of an employee is terminated by death or retirement after 20 or more years of continuous service in the District covered by this Agreement, such employee shall receive, subject to the conditions hereinafter provided, 30% of his/her unused accumulated sick leave days, up to a maximum of \$12,000. For the purposes of this section a "day" shall mean 1/5 of the employee's regular weekly rate of pay at the time of said retirement or death. #8 Well days as defined in the pre-existing agreement, will no longer be recognized by LCWD. #9 reimbursement of sick

leave, if an employee uses 36 hours or less of their annual 15-day allotment of sick time, they shall be compensated \$70/day for the balance of the sick days remaining. #10 When absent 3 or more days the employee may be required to obtain a doctor note to verify illness or injury.

Second: The motion was seconded, and the motion passed by a unanimous vote.

Motion: A motion was made for #11\_Bereavement: up to 5 days for immediate family defined as a spouse, child, mother or father and no more than 3 days for family member defined as: brother sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandchild, grandparents, sister-in-law, brother-in-law and relative residing within employee's household. The days do not have to be consecutive,

Second: The motion was seconded, and the motion passed by a unanimous vote.

Motion: A motion was made for Section C Insurance benefits: section 1 and 2 and 3, all employees continue to be offered from MIIA BC/BS HMO or PPO with a footnote the District continues to pay 85% through 2020 at which time the benefit plan will terminate to explore other plan packages and options. A recommendation should be in place by September 30, 2020 for effective date of July 1, 2021. The second part extends an opt out to employees to the extent if the employee forgoes coverage the employee at the discretion of the board of Commissioners, may "opt out of coverage plans and be compensated one third (1/3) of the avoided costs to the District of the annual insurance coverage or \$8,500 (eight thousand five hundred dollars) per fiscal year, whichever is the lesser of the amount. Employees must provide the District with proof of other insurance coverage prior to "opt out" option being accepted. If accepted, compensation will be distributed in twelve monthly payments throughout the fiscal year. LCWD shall pay up to 80% of existing health insurance plans for employees that retire after July 2020. Furthermore, they will pay for 80% of all Medicare supplemental benefits as well when age appropriate.

Second: The motion was seconded, and the motion passed by a unanimous vote.

Superintendent Scenna will check with the law firm and confirm retirees are at 80%.

Motion: A motion was made for Section D: overtime. D1, now reads as follows: overtime shall continue to be paid at rate of time and one half at 4 hour minimums, if an employee returns for same issue within the same 4 hours they will not be eligible for a new 4 hour minimum until said 4 hours have expired. D2: overtime will now be

rounded to the nearest half hour. D3: Employees required to work through lunch will be released at 3:30 and if deemed not possible by the Superintendent for release, they will be paid 1 hour of overtime for working through the lunch period. D4: when an operator working 12 continuous hours of overtime, the overtime will change from 1.5 rate of pay to double time. If the employee's regular scheduled shift for the terms of this handbook falls within the 12 hour work period in question, the employee will be compensated for their regular shift for regular pay until the 12<sup>th</sup> consecutive hour of the work period is realized. #5: Employees responding to callouts between the hours of 12 am to 7 am will no longer be eligible for 4 hours off during the following shift or an additional 4 hours of overtime pay in lieu of the time off. Employees when responding to a call outs between the hours of 12 am and 5 am will be eligible to bank 2 hours of personal accruals for each response. Said personal time can be added to the 3 personal days already provided by the District on an annual basis and will be subject to the same use conditions as outlined in this handbook. With the exception of SCADA callouts related to chemical treatment issues within a station and calls which require confined space entry at Main Sreet, the on-call operator shall first report and assess conditions prior to contacting additional operators. Security calls will be accompanied by Lynnfield Police Department. Calls to personal homes will continue to be addressed with 2 operators. Operators shall meet yearly with the Superintendent to define crew response protocol and policy. In the event of winter storm conditions, the standby crew shall consist of 2 operators unless otherwise requested by the Superintendent and/or defined by declared state of emergency within the Commonwealth of Massachusetts. Similar to all after hour issues, which could arise over a given week, the on-call operator will be required to respond to snow emergencies. In the event of successive events over the course of a week, the superintendent can relieve the operator as long as a coverage plan is put in place. Shifts will be scheduled in a manner for operators to arrive safely to work and home. The on call standby crew shall be responsible to clear, maintain accessibility and monitor all LCWD infrastructure and respond to any/all issues as required. This shall include plowing wellfields, lots, walks and entrance points to all buildings, treatment stations, and wells/pumps.

Second: The motion was seconded, and the motion passed by a unanimous vote.

Motion: A motion was made for Section E Wages: COLA will be based on National Social Security Index (increase 1.6% for 2020) for existing wages for FY21. COLA shall not apply to clothing allowance or on-call stipend.

Second: The motion was seconded, and the motion passed by a unanimous vote.

Motion: A motion was made for Section 2 on call stipend as a lump sum be equal to \$1030 per week. Should a holiday fall within the coverage week, the stipend will increase to \$1430 in order to compensate for coverage and maintenance responsibilities that fall on the holiday, Should more than 1 holiday fall on the coverage week the stipend will increase to \$1830 in order to compensate for coverage for maintenance coverage that fall on the holidays. There are 5 sub-conditions to this: the additional 4 hours as defined in existing agreement will no longer apply to coverage during holidays falling within a coverage week. On call coverage will be divided equally amongst all operators. Coverage rotations will be distributed equitably and so that coverage on holidays are evenly split within a calendar year. Due to on-call coverage being a standard and required activity of the District employees, the on call stipend will be part of the pensionable portion of an employee's salary and appropriate deductions will be made by LCWD when employees perform said responsibility; it is currently being treated as overtime. In the event of illness during their on-call week, upon authorization from the superintendent the on-call operator can trade off time with another employee and is the responsibility of the on-call operator to arrange said coverage. And last, when at all possible the backwashing of Phillips Road water treatment filters triggered by hours in use should be coordinated to take place during regular working hours. This shall not apply to backwashing triggered by pressure or water quality issues in which regular overtime standards apply.

Second: The motion was seconded, and the motion passed by a unanimous vote.

Motion: a motion was made for the clothing allowance to maintain \$1288 per operator, which is the existing clothing allowance. Said allowance will be reimbursed for all items of clothing, winter gear, gloves, boots, sunglasses and/or items of clothing damaged during an after-hour event, purchased by individual employees and submitted with proper receipts and proof of payments. Articles with LCWD logo will be considered reimbursable under this program. The program will not reimburse for safety vests, hard hats, glasses/goggles, raingear and other items deemed by the Superintendent to promote and protect the safety of employees operating in the LCWD. Those will be provided by LCWD with a line item in the budget. LCWD clothing and safety colors will no longer be provided directly by the District and shall be considered reimbursable items under the clothing allowance. The District will coordinate the ordering of these items however, purchases will be deducted from

the employees annual clothing allotment. Items reimbursable must be work clothing worn while on work duty as defined above.

Second: The motion was seconded, and the motion passed by a unanimous vote.

Section F: policies and procedures. These policies and procedures were recommended by KP Law and apply to all employees and is just a heads up to the Board.

This handbook will go into effect in July. Superintendent Scenna will present the updated handbook to employees.

- d. **Superintendent's Update.** The cleaning and re-development of the Main Street well is nearing completion; it has never been done to this level and will be a major improvement in production. Superintendent Scenna is working with KP Law on the freedom of information request from Boston Clearwater. We provided the owner of Boston Clearwater an estimate for the cost of gathering the data and offered a meeting with the owner. In 2017 there were 2 freedom of information act requests from Boston Clearwater; we hope this information is in the box from Attorney Casey.

We received our license for radio frequency; this will be completed mid-April. We need to look at well program at the next meeting, the list of wells with the health department, the DEP and our list and check these wells in the spring to monitor for irrigation. We can charge these costs to conservation budget line item and will double-check with Dick Hingston. We need to look at private ways as well.

We implemented a continuous leak program: When there is 35+ days of continuous usage, it could be a suggestion of a leak. The cost of the door knocker could be spent out of the conservation line item.

Roberts Filter had no significant issues to report. They made a recommendation to adjust the pH and met with CDM and dropped the pH. If we need to add potash, we will do it post-filter as opposed to pre-filter.

- e. **Continue Discussions on FY 21 Budget Preparations with Proposed Articles to Fund Capital Program.** The draft has been presented and does not need to be finalized tonight. Administration 6101 funds a reclassification of the office manager position. We will add a 15 hour part-time administrative position in the office and to add coverage when the office manager is on vacation. 6102 is for other salaries and elected officials. We will lease machine for billing to keep the billing process in-house. Office and cleaning supplies is a new line item and is important to keep



separate. We wanted to break out professional fees and any other professional services. A new line for professional services is for day-to-day items. Data processing is the town costs and has been reduced by 50% per our agreement with the town. Code Red is now in the budget and level funded. The Audit was an article and rolled into the operating budget as it is an ongoing task. Reserves in in the article: billing software, Capital Programs, Tank redevelopment plans, well redevelopment at Station 3, and AWAI Risk and Resiliency fund plan where all work needs to be completed by 2021. Only half was funded for the AWAI Risk and Resiliency as we are looking for grants through CDM. Health insurance went down 1.5% for the next fiscal year. Combined insurance and salaries are \$0.47 on the dollar for direct employee costs. The Raftelis rate model is projecting revenue of \$2.45 million and the budget proposed is \$2.5 million. Superintendent Scenna is asking the board to review the proposed budget and reach out to him. CDM is leaning toward cleaning and coating the tank being a significant contributor to improvements in the Apple Hill area. Superintendent Scenna will reach out to Essex County Regional Retirement regarding the jump in the Essex County assessment for FY21.

**Agenda Item 4. Old business.**

**a. Lease Contract Execution: Verizon.**

Motion: a motion was made to move the chair to sign the Verizon contract on behalf the district.

Second: The motion was seconded, and the motion passed by a unanimous vote.

**Agenda Item 5. Public Comment for any Topics not Listed on this Agenda.** Commissioner Youngren is concerned with the current state of the coronavirus, Annual Meeting alternatives and legal ramifications and keeping employees safe to minimize public interactions. We are reaching out to our law firm for answers to these questions.

**Agenda Item 6. Review and Approve Minutes of Prior Meetings.** None to approve.

**Agenda Item 7. Board Review and approval of payroll, A/P Warrant(s) and Rebates.** The board approved payroll and A/P Warrants.

A motion was made to adjourned at 10:41 PM.

Respectfully submitted,