



LYNNFIELD CENTER WATER DISTRICT WARRANT
The Commonwealth of Massachusetts
Regular Board Meeting
7:00 pm August 24, 2020

Date, time, place: The regular meeting of the Board was held on Monday August 24, 2020 at 7:00 PM via Virtual Zoom Meeting.

Present via Virtual: Commissioners Anders Youngren, Joseph Maney, Jack Adelson, Superintendent John Scenna, Treasurer James Alexander, and Clerk of the Board Christine Smallenberger

Absent: none

Also attending virtual: Ralph Franco, Sujata Yadav, Ken Macnulty, Amanda Sheehan, Brian Duplessis from Ti Sales, Chris von Jacko, Patrick Smith, Domenic Devito, and Stefan Taschner.

Additional attachments: Agenda, incorporated into the minutes hereto.

Next Regular Meeting: September 14, 2020 at 7:00 PM - Virtual

Adjourn: 8:45 PM

Chairman Maney read the following statement:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the LCWD Board of Commissioners will be conducted via remote participation. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found within this posting below. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so,

despite best efforts, we will post minutes of proceedings as soon as possible after the meeting.

The meeting is being recorded for the purpose of producing minutes.

1. Review of Abatements and Watering Restriction Appeals

- a. 60 Phillips - Watering Restriction Appeal. Commissioner Youngren asked Mr. Franco if he is still watering. Mr. Franco wants to know where he stands and next steps as he claims he never received an initial warning. Chairman Maney said if we assume the initial warning was received together with the first fine, all fines would drop by one step in the process and the last fine would reduce to \$250. Mr. Franco was fine with meeting the board halfway. The board is sympathetic to customers that feel it is important to maintain properties and want the right to water as needed but this season there was no alternative, especially in June. Next season, we are looking to implement other options for supplementing our existing system and we hope to not have to restrict to the highest levels. We have plans to possibly use MWRA water next week if demand requires; this will help us collect data that can be used as we study a more permanent solution for supplemental water during high demand season. Unfortunately, for this summer in order to possibly supplement with MWRA water, we need to remain at a level 5 restriction and will stay in level 5 as long as consumption dictates. Level 5 was a result of the demand of the system. Every week we submit various reports to the DEP including demand consumption. After labor day, it will be a week to week decision to go back to a level 4 or level 3 restriction.

Motion: a motion was made to reduce the fine for Mr. Franco at 60 Phillips Road to a total of \$250.00 instead of \$500.00

Seconded: the motion was seconded, and the motion was passed with all saying aye by a unanimous vote.

- b. 909 Main St. - Watering Restriction Appeal: Mrs. Sheehan is appealing for a financial hardship. Mrs. Sheehan understands and respects what we are going through but needed to put in her sod as a place for her kids to play due to COVID. They tried to go without watering and had a golf course superintendent come out and assess the situation but determined they cannot afford to lose the grass. Mrs. Sheehan claims she has lost some patches of grass because they can't water and asks for any leniency for new construction as they installed the sod before the water ban. Commissioner

Youngren asked if they are still watering and she said she has no option but to continue to water. Commissioner Youngren stated fire protection was in jeopardy and fire protection is more important than protecting lawns. The Board also received information prepared from data collected from the meter that demonstrated consistent overnight watering throughout the summer as the District remained in Level 5 restrictions and even after the fines were imposed in June. In lieu of board reducing the fines, the board will offer a payment plan for the fines. Superintendent Scenna will work with Mrs. Sheehan on a payment plan over the next 4 billing cycles. We want to be as flexible with the customers as we can but we also need to operate in accordance with the bylaws.

- c. 9 North Hill Drive - Abatement: Domenic DeVito is asking for relief on the grounds that the dirty water required him to use more water. Mr. DeVito had sent in pictures of the discoloration. When he received his water bill of \$1,000, Mr DeVito was sure it was for all the times he had to refill his hot tub due to the dirty water. The Board, however, after reviewing information prepared by the administration, now feel that the usage was probably due to across connection the operators found and Mr. DeVito has since removed. The cross connection would result in LCWD water going outside and supplying the customers irrigation system with water, as opposed to the well supplying the system with water. Superintendent Scenna will come up with a consumption that may have been involved due to this issue and send a new bill, charging the customer only for the Cost of Water as identified in the operating budget for said use.

Motion: a motion was made to bill any water in excess of his monthly average at the cost of water. We will look at Mr. Devito's past bills within the past 15 months and anything above that number we will determine. We will work the numbers out and the credit will appear on the next bill.

Seconded: the motion was seconded, and the motion was passed with all saying aye by a unanimous vote.

- d. 7 Charing Cross - Abatement: Mr. von Jako had a running toilet in the basement. Unbeknownst to him, he later found out about it and that his father-in-law had repaired the issue. Data indicates that once repaired, consumption has returned to normal. Superintendent will reach out to Mr. von Jako to work out the numbers and get the revised bill to him. Chairman Maney explained the change in the tax levy and the volumetric rates and the impact leaks like this have on bills. He will be charged the cost of water for consumption attributed to the window when this leak was taking place.

- e. 19 Orchard Lane - Abatement (continued from a previous board meeting):
The Yadav's were at our last meeting to discuss their abatement request due to a heating system leak. Upon closer examination, we found an additional issue that must have been addressed as consumption is back to normal. The Yadav's fixed the water leak in the pipes but found that there was still an issue after discussing their consumption at our prior meeting. They shut off everything the night of our last meeting and realized the bathroom toilet was leaking through the water tank. The issue has now been fixed. Mr. Scenna also feels that there could be an issue with their irrigation system which they shut off and warned them to use caution and monitor that closely as well. The board will give them the same consideration as the 2 prior customers, and we will issue a revised bill this week having them pay the Cost of Water for any consumption attributed to this leak.
- f. 2 Sigmund - Abatement: After some troubles logging in, Mrs. Boustris was able to attend the meeting. We will revise the bill to pay for the Cost of Water if she is able to produce proof that there was an issue and that it has been since resolved.
- g. 79 Chestnut - Abatement: Mrs. Bartholomew from 79 Chestnut was not on the call; this will be continued to another meeting.

Mr. Patrick Smith from 2 Ivanhoe is in attendance and currently is on a well for domestic water and is not connected to our system. Rather than repair the well, he wants to connect to our system. Mr. Smith needs to hire a contractor and pull a permit. Mr. Smith already pays the fire protection tax to the district. Mr. Smith has been without water for a week and brought in 2 experts to assess the well which cannot be salvaged and will cost in excess of \$15,000 to replace. This is the first connection for the new board and Superintendent Scenna under the new permit application process. The permit fee is \$1,500 and the connection fee is \$800 and in the opinion of the superintendent, the district should look to accommodate Mr. Smith's situation. All fees for road work to the town is the responsibility of the homeowner. We are more than willing to fast-track it on our end. Mr. Smith has yet to select a contractor. The DPW has a list of bonded and insured contractors for the town that they can supply him with.

Motion: a motion was made to allow 2 Ivanhoe to join the district pending completion of application and payment of applicable fees.

Seconded: the motion was seconded, and the motion was passed with all saying aye by a unanimous vote.

2. Superintendent's Update

- a. **Water Consumption, Restrictions, Demands and Emergency Plans:** The emergency order from DEP has been fully executed and arrived today. MWRA will sign off tomorrow and it will need to be resigned by the Board due to an issue the Superintendent noticed in how the consumption was to be billed to the LCWD. We are ready to go administratively. Today we had an operator's meeting where some concerns were expressed. Superintendent Scenna will provide the board by weeks' end an update. Station 1 will be shut down by the end of the week. We are trying to work through the operator's concerns and will be ready to go if demand dictates. The discussion surrounding these concerns are so that we do not disrupt the existing system. We provided DEP with our 6 week consumption report in 2 week increments to make sure our consumption is not being wasteful with the additional water we are getting and the DEP accepted it. Consumption has trended down lately. Superintendent Scenna will continue to monitor this daily and see what the impacts of residents returning from summer travel and students returning to in home learning (including those that are usually off at college). He does not want a repeat of June and feels that some of the issues that caused that could resurface in early September, post Labor Day. The Station 1 nitrate levels have trended down, which is a positive for us long term. We are stable and have the reserve in place and at this point we are dotting our I's and crossing our T's to make sure we have a comfort level with the operators bringing in the additional water from the MWRA v. Station 1 if needed.
- b. **Lock Upgrades & Access Agreements:** We upgraded the locks throughout our facilities. Today we started adding additional cameras and fob access. We are funding some work under the MIIA grant. Superintendent Scenna has created a new access agreement for distribution of keys/fobs and that will be signed by the chairman of the board approving the distribution of keys by the Superintendent. This agreement documents the issuance of that access device and the liability that we are a public drinking water supply with intricate equipment that can't be taken for granted. New keys were issued to employees of the district and the treasurer. Tomorrow morning, Superintendent Scenna will figure out access for the chief of police and fire departments. The fob system will track who comes in and at what time. The goal is to extend fob access to other facilities as we expand internet access to other buildings in the District.
- c. **Update on Leases**

Adjusting access agreement addenda to contracts: We have made progress with the AT&T lease. Although it has delayed the execution significantly, Superintendent Scenna insists that the access agreement is critical so that we can control who is on site and for why. T-Mobile has indicated it also is highly likely to accept the new language proposed, but the most recent development in their process is that T-Mobile and Sprint have merged. This will result in the likely forfeiture of the Sprint lease they just inherited. We may lose 1 contract as a result of the merger. T-Mobile does not need both leases. Verizon is ready to install equipment on Knoll Road. Construction is expected to start within a month. Superintendent has requested a schedule and full adherence to the access agreement. LCWD will notify abutters in advance of the work.

- d. Update on p/t administrative assistant position : The superintendent sent the board an email regarding the interview update. We will conduct a second interview with a member of the board and tender an offer within the next few weeks. There was a lot of interest. There are Lynnfield residents being considered for the position and being a resident could be the tie-breaker for the position, all other qualifications equal.
 - e. Update on WaterSmart customer service portal project: We hit a roadblock but navigated the issues with JUS. JUS and WaterSmart are having some issues with interfacing and how to transfer information needed both for start up and for ongoing communications. We hope to have documents to sign by the end of the week ready for execution and to send an information letter out to district customers.
3. Supplemental Water Program Study... Next Steps & Summer Outline of Action Items
- a. Analyzing Wakefield and Andover (through North Reading): CDM has been exchanging information with Wakefield and is due to receive a memorandum report this week from Environmental Partners. We should have some answers within the week in regards to the capability of wheeling water from Wakefield into LCWD if we so choose and what upgrades would be needed on both sides. We have an information request to Andover to close that loop on wheeling their water into the LCWD through North Reading. Superintendent Scenna and LCWD feel it is a long shot but are continuing this effort. We have a meeting with CDM to discuss the possibility of all 3 partnering options: Wakefield, North Reading and LWD. The goal is to have CDM present the possibilities of partnering with each of the three entities in regards to supplementing water into our LCWD system in the future and by the end of the October make a decision on which of the 3 to pursue, and

then how that impacts the 5 directions presented at the Annual Meeting that the District could pursue for an infrastructure project at our annual meeting. This keeps us on track to present again and update to the district in November.

4. New Business

- a. Meter Demonstration with TI-Sales (8:00 p.m.): Brian Duplessis from Ti Sales was in attendance to speak to the board and members of the District and share the reliability of the meters used in all residents' home. The meter is made up of 2 parts split down the middle of the body and register head that does the calculation. They come with a factory tamper pin that must be evident that they were taken off. Positive displacement meter: a known amount of water must go in and must go out. All meters must adhere to AWA standards. They are tested at 3 flow rates and test at 100%. A worn out meter will start to slow down. For example, a meter that is 20 years old will start to slow down. There is a cast iron frost plate which is a sacrificial plate in the event of a frozen meter that is designed to break on purpose if the meter freezes. Underneath is a liner cap. There is a strainer before water enters into the strainer. The chamber has an intake side with no hole, all water must surround the chamber first and causes water to flow to minimize wear and tear. On the other side, the water goes in and exits into the home. A rotating disk inside spins around and allows a measured amount of water on the top side and both sides of the disc take water. As the disk spins, there is an axle on an axis that turns the magnet for a known amount of water in and water out. LCWD is not in the business of producing air. It takes 472 revolutions for a gallon. There is no way for it to lie, cheat or steal. The rotating disc eventually wears after a $\frac{1}{2}$ million, which is why you lose low flow accuracy and the bills start to go down. The magnet will turn 360 degrees, the register head has the same magnet, but they don't touch. It is close enough to automatically turn the register head as well and knows if it spins 472 times it is a gallon. Commissioner Youngren asked if you put a strong magnet on it what will it do to the meter, will it affect the unit. Mr. Duplessis responded that regular magnets do not affect the meter. The radios purchased today allow us to data log. If you suspect someone is looking for an abatement, put a radio on that account that will allow you to data log. Use the old radio for someone who doesn't need the newer style. Commercial meters can still be data logged with new radios from Neptune as long as you have the resolution. With the newer Neptunes, you can data log down to the toilet flush. One common complaint is the meter is running fast. This is not possible. Kevin Ti can count on 1 hand instances of meters that calculated faster in municipality favor rather than a customer's favor and

these meters were a turbine meter or a velocity type meter, not a Neptune meter.

- b. Policy on Late Fees, Liens and Demands: Commissioner Adelson had a family obligation and has left the meeting so we will defer this topic to the next board meeting when all 3 board members are in attendance. The office worked with JUS to address the late charges in the system. In early October, we send letters to customers with past due balances reminding them to pay their overdue balance. This process works great and cuts down over half of our outstanding payments. The town takes care of liening these accounts.
- c. Treasurer Report
Cash has been reconciled for the end of the year. The office manager has been transitioning from The Savings Bank to Everett Bank. Treasurer Alexander will be meeting with the auditor and will email the remaining information to the board tomorrow morning. He does not have reports with him.

5. Continued Business

- a. CARES Act... funding options for reimbursement of COVID related expenditures: Superintendent Scenna has spoken with consultant Dan Sullivan to research our options; we will have more detailed information at the next meeting. We do have until the end of December to submit for reimbursement.

6. Other Board Items:

- a. Approve Water Filter Applications: we have received 1 rebate for 19 West Tapley Rd. The whole house system had been installed and we were provided with all the information. 449 Summer St. is outside of the designated neighborhood and we have no water complaints on record for this location. 449 Summer St. can come to a board meeting to appeal if they so choose. Superintendent is also working with a family on Mayberry and there are more coming from outside of the direct area: Perkins, Townsend, etc. Any additional information these folks can give us other claiming dirty water will help. We do not have documentation of our operators going to their homes. We have just under \$25,000 left in the account.
- b. Approve Prior Meeting Minutes:

Motion: a motion was made to approve the minutes for July 20, 2020.

Second: the motion was seconded, and the motion was passed with Chairman Maney and Commissioner Youngren all saying aye by a unanimous vote. Commissioner Adelson was not in attendance to vote on this motion.

- c. Approve A/P and Payroll: the board has sent their approvals via email to office manager.
- d. Any other unanticipated items by the Board: We sent the original documentation to the labor board.

The Regular meeting adjourned at 8:45 pm.

Respectfully submitted,