



LYNNFIELD CENTER WATER DISTRICT WARRANT
The Commonwealth of Massachusetts
Regular Board Meeting
7:00 pm November 30, 2020

Date, time, place: The regular meeting of the Board was held on Monday November 30, 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: Angus Bruce, Ken MacNulty, Stefan Taschner, Meredith Stone, Dick Simmons, Donna Perry

Also attending virtual:

Additional attachments: Agenda, incorporated into the minutes hereto.

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

Adjourn: 8:10 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 was called to order at 7:06 pm and being recorded for keeping minutes.

1. Superintendent's Update

- a. n/a

2. Supplemental Water Program Study

- a. Ongoing Discussion regarding CDM Recommendation on Supplemental Sources

Superintendent Scenna met with Wakefield this morning. We now have a defined scope of work with Wakefield, and their engineering firm, Environmental partners. Wakefield wants us to turn over our pipe to create a loop. We reached a middle ground solution that addresses their concerns and is still cost beneficial to us. Superintendent Scenna will send documentation from this discussion to Wakefield and what the tentative agreement will look like and send to the board as well for their review.

Superintendent Scenna is meeting with CDM to prepare for the December 14th presentation. We will start to advertise this meeting through newspapers and social media to ensure we have decent customer representation. A Zoom presentation can be great where district members can listen within the comfort of their own home. We want to make the presentation clear and concise. Mike Nelson and Angela Moulton will present and explain the big picture, how we got there and what the projects are that will make up the capital program we hope to fund at next spring's Annual District Meeting. We are awaiting word from the town's media center for the ability to tape the zoom presentation and post to our website.

3. New Business

- a. Discussion regarding requests to possibly expansion of LCWD System

Superintendent Scenna introduced Angus Bruce to the board. Mr. Bruce is interested in developing the Richardson's parcel. Superintendent Scenna shared a screen of a map of the area Mr. Bruce is interested in developing. In the spring Superintendent Scenna met with the Luft family and developer who is working on developing the golf course area and the possibility of the Sagamore project joining the district and the steps that would have to take place including a vote of the district. Covid hit and all was paused. Superintendent Scenna spoke with the developers this afternoon who are interested in developing and also joining the

district. A couple of weeks ago, Superintendent Scenna sent correspondence to the planning board regarding the parcel at 109 Lowell street. There is a preliminary plan for 109 Lowell Street before the planning board to turn the 1 lot into 7 lots. Superintendent Scenna commented on the process and gave specifications on what the district would like to see. Mr. Bruce has reached out to the district and is in discussions with the owners of the parcel on Main St. Mr. Bruce's thought at the time: is it possible to work with other developers to try and connect to the district. Mr. Bruce is here tonight to discuss further. The 109 Lowell St. development is the furthest along with the planning board and Mr. Bruce's plan is preliminary with the planning board. Currently our system ends on Main Street. All the existing homes beyond our system have private water sources with no fire suppression in the area with the closest being on Katherine Drive in Peabody.

Mr. Bruce's intention is to build 20 homes. His first question to the board is to inquire if there is enough water for these 20 homes. That is the question to start this discussion. He has 5 by right homes to construct on Janet way that would be on wells and 15 to go under a to be specified system. Right now, there are a couple of possibilities. From the intersection of Lowell St. to his 1st entrance, beyond the golf course is 3800 feet and its roughly about 2800 feet from Lowell street from the intersection to the golf course. There would be additional footage to pick up the pipe. He has been in discussion with the golf course to see if together there is interest in a hook in to our system. The golf course developer is willing to participate. There are a lot of timing issues however with this approach as the project schedules are not aligning. Mr. Bruce mentioned that one possibility is if the district would be interested in putting the pipe in themselves and then charge a pro-rated connection fee. Mr. Bruce isn't sure he can put the pipes in himself and would request that he get paid back from connections but doesn't know the requirements. It is an enormous expense for just 15 lots and isn't practical unless it's a reimbursement expense and until they know the golf course is interested and will hook into the expanded system as well and then he will have a source to reimbursed his initial investment in the system build out. The other possibility is to directionally drill under the golf course to where your stations are on Glen Drive from the backside of Mr. Bruce's property. Directionally drill will probably be the only way as there are loop solutions. Mr. Bruce thinks there would be a simple solution with support from the board. Mr. Bruce then also went on to state that when Mr. Burnham was still part of LCWD, he mentioned a vein of water that runs through his property that was not from the district and is in a different aquifer. The perception from the town's people is Mr. Bruce is taking water from Lynnfield Center Water District but according to Mr. Burnham, this is not true. One of the district issues is the iron and manganese that keeps us from producing more water. If we put in a filtration system, it would give us more water and eliminate the issue

with iron and manganese. Mr. Bruce doesn't think the other solutions are practical at the moment. He could then connect into Glen Drive and his contribution could be used for the filtration system.

Mr. Bruce's solution, if the board is inclined to move forward with project, is for him to drill wells (20 if you count them) and he would make a contribution to fixing the problem similar to an offer he made to the town. He offered the town on the 15 lots, \$20,000 per lot on a lot release basis that he feels could go towards getting started for the engineering and upfront costs for a filtration plant. With all that is going on, for the district to drill new wells or join MWRA, both these options are arduous. The best and immediate solution is to start with a filtration plant to help people that don't like the quality of water and improve the capacity of water especially in the summer. People in the district feel Mr. Bruce should do something for the water district as he is using Lynnfield water whether it is our aquifer or not. Mr. Bruce wants to work with the town and the District and wants to offer the Town a mitigation payment that can be given to LCWD.

The town voted down the cluster zoning yet the town in general supports the housing project. The general populous wants single family homes. What he will put in will have the least impact on the water. If Mr. Bruce is participating in fixing a problem, he wants to get feedback from the board on these ideas.

Chairman Maney asked what aquifer are you drawing on if it isn't our aquifer? Mr. Bruce mentioned the district had tested for wells and Mr. Burnham had showed them an aquifer fault that was drilled and found it didn't produce enough water. The water comes from a different aquifer, Mr. Burnham explained. Mr. Bruce doesn't think it matters whether he is drawing from the same or different aquifer. The general consensus is this is Lynnfield water and we don't distinguish where it comes from. There is a perception issue and there is also a legitimate issue. This would give the district funds to start the filtration project and negates the big picture that Mr. Bruce is taking the water. Mr. Bruce is contributing to help solve the problem and isn't stealing the water. It is hard to get people to understand. Mr. Bruce is looking at this as a solution and it is not unusual for developers to contribute.

Mr. Bruce doesn't know what the best options are as there are timing issues and doesn't know what the golf course will do as this is a cost issue. Commissioner Youngren inquired as to when will you know when you will be able to develop the land as there is a buyback from the Town according to Chapter 61 that is being explored. The buyback is \$3 million. According to Mr. Bruce, the likelihood of the town buying it is zero and the reality is Mr. Bruce doesn't see the town voters

adding a \$3 million override on top of the school expansion that includes adding more teachers and expanding the budget. The clock hasn't run out on the buyback due to covid but Mr. Bruce is exploring his options and going on the premise of the likelihood of the town buying it is zero. Superintendent Scenna said there is a defined window, and it doesn't start until the state of emergency is lifted in the Commonwealth.

Superintendent Scenna wants to address some of Mr. Bruce's questions. The district modeled this area and by the middle of the week, we should have the results of the impact of the 20 homes. We are assuming 5 bedrooms with 5 people living in the homes. We are pushing the modeling to 70 gallons per person per day (gpd), 5 gallons more than the DEP recommendation of 65 gpd. The last time we performed the model in this area, our system was impacted with pressure yet improved with productivity. We would need a loop back into Lowell street which is why the 109 Lowell St development is needed to push it back up in Main Street to increase fire flow and fire suppression in that area. Superintendent Scenna can get the board answers if they want to continue these discussions with Mr. Bruce if we want to extend the system. CDM should have results from their model scenarios by the end of this week. Superintendent Scenna recommends that we could not consider this if we haven't already looked at supplemental sources. Station 1 could give us another 50 gallons per minute (gpm) in the summer when we need it most. The project with Wakefield can give us 250 gpm year-round and if we filter Glen Drive, we could do 575 gpm as we aren't at 50% of our permit capacity. We can get 75 gpm to translate significant more money. There are avenues we are working on. If we get a green light in the spring, it will take 2 to 3 years, the same timeframe for these houses to finish and could coincide at the same time. According to Superintendent Scenna, when the data shows that we have sufficient supply sources to counter the added demand, that's when system expansion is on the table. Commissioner Youngren mentioned the 15 houses in total could need 4 to 5 gallons per minute. Commissioner Youngren prefers expanding the system and incorporating Mr. Bruce's development into the system and bringing in Lowell Street for the loop. There are timing considerations and contractual considerations to be addressed. Mr. Bruce feels expanding the system is best as your water shortage issue is temporary and the district has a lot of options. The only issue Mr. Bruce has is he is at the farthest end in town and needs to build out the system fully to get water. If Bonvie came online and would share the cost, Bonvie doesn't have a big enough project to bring water to his property. The issue for timing about connecting is if he brings the water up, he doesn't believe he can do a contract with the district and get paid back on connection fees so everytime someone hooks up he could get a x amount of dollars. Bonvie may not have a project; he has to go to the zoning board and may get shot down and he wouldn't get back his capital investment

back. That may be more advantageous and cures the issue that somehow Mr. Bruce is stealing Lynnfield water as he is contributing toward fixing the problem. Chairman Maney agrees with everything Mr. Bruce is saying and said time is an issue and everyone acknowledges this. Chairman Maney further asked Mr. Bruce if you have a date you need direction or an answer from the board. The Sagamore project is so far out and if he knew he had the project, things would be different and Bonvie would probably contribute. Mr. Bruce got shot down with the same number of units. Chairman Maney said it is the will of the board to fix the iron and manganese with a green sand filter plant. The question is if we can have partners to do it, do we want partners or need partners. Mr. Bruce doesn't want to be a partner but wants to contribute. Mr. Bruce asked if any of this appealing to which Chairman Maney said there is a lot of due diligence to do as there is appeal to this. Mr. Bruce said it is a solvable problem and you just need to figure out how to do it. Chairman Maney asked for any questions or comments from the members of the public. Mr. Taschner responded there are misconceptions here. If you are talking about a developer and you want to expand the district, that cost is borne of the developer and is passed on to the buyers of his development. Mr. Taschner also said you would have to have the consensus of the district homeowners; this hasn't been said and needs to be conveyed. Superintendent Scenna responded that this has already been conveyed in advance of the presentation this evening. Mr. Bruce asked the board if you have additional time, he would like to be on next week's meeting agenda as well. Chairman Maney said if the timing is relevant and there are updates to further discuss, we will certainly do so as we want to keep all lines of communication open with everyone.

- 4. 2021 Tax Levy Public Hearing .. Public Hearing will start at 8:00 p.m.**
 - a. Discussion with Town of Lynnfield Assessor Meredith Stone
 - b. To discuss and vote on 2021 LCWD Tax Levy Rate

Superintendent Scenna thanked Meredith Stone and Dick Simmons for their help during the process. Treasurer Alexander maneuvered our tax levy over the past month with our auditor, Mr. Hingston. The overall recommendation is lowering the tax levy to \$0.46 cents per thousand. This is good news for the district as we are in a different situation from last year. The press release went out prior to thanksgiving to summarize last week's meeting as well. There is a discussion regarding the shift between residential and commercial as there is very little commercial that exists in our district but we should still entertain this shift. Superintendent Scenna will share the summary sheet and asked for Ms. Stone for comments. Ms. Stone said we have been certified by the ELA. The number of single family accounts is

2,656 at a value of \$1,921,600. We have 24 condos and miscellaneous 3 family/4 family homes and small commercial property in this area. The split rate would hurt the commercial people and would move them out of town. We are certified and the rate sounds great at .46 cents. Going over this last week with the treasurer and auditor were great. Chairman Maney remarked switching to volumetric use rather than the tax levy was always one of his goals. Getting hit on the tax rate and volumetric rate was not great for members of the district. Hopefully, the public realizes that what we said we were going to do, we did it and cut the tax levy in half. Initially, when we put out the press release, we have some customers that champion what we are doing but we also had a lot of naysayers that said we weren't true to our word. Now they know we are true to our word. Commissioner Youngren said a split rate is not feasible to our district and not recommended in our situation. Most of our commercial users are not very strong and not much money will be raised from a split rate and having the same rate across the board is preferable. Mr. Simmons added there is no benefit to the average residential homeowner as they don't save a penny by whacking the commercial.

Motion: a motion has been made to drop the revised tax levy to .46 cents per thousand.

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

5. Continued Business

- a. n/a

6. Other Board Items:

- a. Approve Prior Meeting Minutes

Motion: a motion has been made to approve the minutes of the November 9th meeting.

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

As a note to the board, the meetings are posted to our website as soon as they are approved.

- b. Approve A/P and Payroll

- c. Any other unanticipated items by the Board
- d. Executive Session for legal and personnel purposes if required

Motion: a motion has been made to suspend regular meeting at 8:10 pm and go to executive session.

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

Respectfully submitted,