



LYNNFIELD CENTER WATER DISTRICT WARRANT
The Commonwealth of Massachusetts
Regular Board Meeting
7:00 pm December 1, 2021

Date, time, place: The regular meeting of the Board was held on Wednesday December 1, 2021 at 7:00 PM.

Present: Commissioners Anders Youngren, Joseph Maney, Jack Adelson, Superintendent John Scenna, Treasurer Shannan Cuddy, Clerk of the District Tim Doyle, and Clerk of the Board Christine Smallenberger

Absent: none

Also attending: Emilie Cademartorie, Meredith Stone, Dave Fox and Tom McEnaney (via Zoom)

Additional attachments: Agenda, incorporated into the minutes hereto.

Next Regular Meeting: December 16, 2021 at 6:30 PM

Adjourn: 8:48 PM

The meeting was called to order at 6:31 PM

1. New Business

a: **Presentation, Vision for Willis Woods, Main Street** (see attached presentation incorporated into these minutes). The vision plan of Willis Woods came about with the award of the MVP grant. Multiple municipalities and Essex County Greenbelt is involved in the project. It turns out the district's property is not protected, and a conservation act was never recorded. The land should be permanently protected and used appropriately. Willis Woods is a conglomeration of 700 acres over 4 communities with the majority in Lynnfield. Emilie wants to get district land perpetually protected and to also protect our wells, Lynn's well and pipeline and the Ipswich River. The Conservation Commission (Conservation) needs to figure out where the trails will be and who can use them. There are a lot of trails being used today. Bostik has expressed some interest in the project but want to move the trails away from their facility. They don't want erosion to happen. The trails are published.

The intent for the land is for passive recreation and to permanently protect water resources. The takeaway from this evening's meeting is to complete the vision and bring it forward. Conservation wants to make sure the district's board is comfortable allowing the use of LCWD property for passive recreation and defining where it will be and how it will be used, and clearly defining. Commissioner Youngren wants the insurance company to look at the agreement from a liability perspective. Commissioner Adelson is supportive of utilizing these resources. The next step is to pursue a vision and for Conservation to bring a draft plan to the board with a concept and set of steps.

- b. 2022 Tax Classification Hearing: Chief Town Assessor Meredith Stone presented to the board (see attached presentation incorporated into these minutes) the board of assessor's recommendation for setting the tax rate. Dave Fox, our rate analyst, is in attendance to provide an opinion on the volumetric piece of revenue. Meredith explained this year was a recertification year for all properties and assessments. Dave Fox reviewed the proposed rates discussed from the last meeting and took it one step forward and looked at the breakdown in revenue. Last year we were close to a 70/30 split in our revenue in terms of how we raise our revenue (volumetric/tax). The summary chart presented before the board led them to backtrack and look at a 60/40 split which created a \$0.43/\$1,000 valuation rate. District auditor, Dick Hingston vetted this option and determined this split would give us approximately \$485,000 in free cash. This was to give the board another option to put more on the volumetric rates which is the part of the bill we can control. The goal is to collect more revenue from the rates rather than taxes to create more equity in the system of having cost causation aligned with cost recovery. If we keep the rate at \$0.46 we swing the pendulum back in the other direction to a 57/43 (volumetric/tax) split. With the uncertainty of new capital costs and debt service coming up, it is not the worse idea to have a good portion of revenue coming from taxes for revenue stability purposes and possibility to put away in a reserve fund to as well as to smooth out rate increases that will be coming in the next few years to fund projects including capital projects, PFAS, and other unknown projects. Dave Fox recommends the board reduce the rate to \$0.43 to give us a 60/40 (volumetric/tax) split in the revenue.

Motion: a motion was made to approve the tax levy rate at \$0.43 per \$1,000 valuation.

Seconded: the motion was seconded, and the motion was passed with Commissioner Youngren, Commissioner Adelson and Commissioner Maney saying aye by a unanimous vote.

4. Continued Business

- a. Proposed Charter Changes, Vote & Next Steps (with Tom McEnaney, KP Law Group) The committee looked at the charter and found issues. The enabling act was created in 1939. Attorney McEnaney found it was changed a few times in 1968 and 1982. See attached memo with proposed changes and discussion items incorporated into these minutes. To change a bylaw, it needs to be discussed at a board meeting and goes to a special district meeting to be approved and is complete. The charter/enabling act takes it one step further with state legislature to approve whatever change we are looking to move forward. Attorney McEnaney needs to do more work determining when new properties enter the district. We will want to formalize a Bylaw for properties entering the district and what the process will be. We have 12 properties who are taking our water but are not currently assessed the tax levy. We will need to talk to the assessor on the process if a parcel was supposed to be taxed and due to clerical error, there may be a process to recoup tax revenue that was never collected. Items 3 to 7 in the memo calls for proposed changes to the election process. We currently don't have the election certified by the state and we don't offer early voting options. The committee recommended changes from recent issues that impact the ability to govern the district. The proposed change will take the Treasurer and Clerk of the District's current term from 1 year to 3 years. You must be a resident and be registered to vote 30 days prior to the meeting. The committee wants to put a process in place to require a potential candidate to send their resume, cover letter and signatures of support certified. There should also be a mechanism in place to allow voting in advance of the meeting. Any of these changes requires changing the Enabling Act. The board wants to keep this simple and tighten up the processes we currently have. The enabling act trumps state law. Changes proposed in increasing terms, should be straight-forward. We hope to have a Special District Meeting in February to send the proposed changes to legislature for approval. It is not a guarantee it will be approved before the April Annual District Meeting. Legislative approval can take a year depending on their agenda. Chaiman Maney asked to change the term of treasurer effective 2023 instead of 2022 to give us more time to get this done. One thought was to have the treasurer position be an appointed position with the language non-specific for a term limit. The maximum borrowing in the Enabling Act was changed in 1968 to \$6 million. We will have to change this for the next borrowing; Superintendent Scenna will check with bond counsel.

2. Superintendent's Update

- a. Tank Rehabilitation Project: Knoll Road tank is now empty, and Wing Road is back in full operation. We solved the fire alarm at Huckleberry; we believe it was a back flow issue. The primer is on the tank and painting will take place next week. We hope to begin refilling the tank the week of Christmas.
- b. AWIA workshop: Commissioner Youngren will be attending the workshops scheduled for next week. We have a confidential document that lists our risk that will not be posted to the website. We are in good shape to meet the federal mandated submission deadline of 12/30/21.
- c. Other: We received formal approval from the DEP to include the PFAS education in our December bills. Bills will go out next week. We have an amendment to add 40 hours of construction time to the tank work for CDM and Bobrick engineering to provide oversight. The oversight has been important. Boston Clearwater is still requesting more information for their FOIA. Superintendent Scenna sent 4 emails today in response to Boston Clearwater's attorney. We believe Boston Clearwater only wants to protect their water system.

3. Update on Capital Improvement Plan

- a. CIP Presentation scheduled for 12/16/21, Task Orders 1-3: The presentation won't be live but will be recorded for the public to access the recording on the district's website. We will address PFAS, and CDM will give a presentation updating the board on the capital projects.

A motion was made to adjourn the regular meeting at 8:48 pm. and go into executive session.

Respectfully submitted,