



LYNNFIELD CENTER WATER DISTRICT WARRANT
The Commonwealth of Massachusetts
Regular Board Meeting
7:00 pm April 10, 2023

Date, time, place: The regular meeting of the Board was held on Monday, April 10, 2023 at 7:00 PM.

Present: Commissioners Joe Maney, Anders Youngren, Steven Walsh, Superintendent John Scenna, Treasurer Kevin Sullivan, and Clerk of the Board Christine Smallenberger

Absent: none

Others attending: Attorney Brian Maser from KP Law (via Zoom)

Additional attachments: Agenda, incorporated into the minutes hereto.

Next Regular Meeting: April 24, 2023

Adjourn: 8:13 PM

The meeting was called to order at 7:02 pm.

New Business.

There are properties within the district that are not being issued a tax levy (see attached sheet of properties incorporated into these minutes). Yellow = district customers but not assessed the tax. Blue = residents voted into the district and filed with the state and the tax levy has yet to be issued. Green = not connected to our water but the property is in the district. Red = new service connections that need to be verified they are being assessed the tax levy.

Motion: a motion was made that all of the properties on the list distributed at this meeting in yellow, blue and red, be taxed by the Lynnfield assessor's office by the LCWD for access and/or participation in our water distribution system effective July 1, 2023.

Additional discussion was brought forth by Chairman Maney inquiring if these are the only properties within the boundaries of the district or are there others and do we have the legal authority to tax them. They are within the boundaries of the district and that makes them district members. We want to issue a letter to flush it out before July 1st.

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

2023 Annual District Meeting (ADM) and FY23 Special District Meeting (SDM)

Charter updates: the state required that we re-advertise that we are making charter changes. They anticipate it coming out in this session. The hope is this will be last election for the treasurer and clerk and moving forward the clerk position will be for 3 years and the treasurer will be an appointed position.

All 3 incumbents are on file with letters of intent and papers and are running unopposed. The Special District Meeting (SDM) will go first at 6:30pm to conduct the current fiscal year's needs first. Joe Markey will be the moderator for both the SDM and ADM. Article 13 in the Annual District Warrant is for district approval of the SRF fund to enter into this program and sign contract with the Commonwealth of Massachusetts to borrow at 0% interest. Dave Fox from Raftelis is doing an analysis to see what it costs in real money to take care of PFAS, iron and manganese in a state-of-the-art facility at Glen Drive. There is no policy for provisional vote.

Anne Malenfant/CDM will present at the April 26th board meeting on the Glen Drive design update.

There will be an additional board meeting on April 24, 2023 at the middle school at 6pm for the FY24 budget.

Execution of Intermunicipal Agreement (IMA) with the Town of Wakefield and the Town of Lynnfield, Interconnection Capital Project.

The IMA memorializes Wakefield extending a connection into Lynnfield at Baystate Road. The IMA speaks to Lynnfield doing the restoration of the road. The cost is documented. The wheeling rate is documented and the terms, if all extensions are accepted, goes to 2043. There are several steps along the way for Wakefield to renegotiate the rate. The IMA also details construction, MASS DOT permit, conservation permits in both Wakefield and Lynnfield as well as DPW and MWRA oversight. The vault will be constructed by LCWD and maintained by LCWD at all times. The Wakefield pipe will be installed by Cardillo and procured by Wakefield. Work will start within a few weeks. The town of Lynnfield will own final restoration of the road curb-to-curb.

Motion: a motion was made to execute the agreement.

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

There were 2 meetings with MWRA in the last 2 weeks. We are tracking towards spring 2024 approval for admission into the MWRA with hope for the following summer to have a live interconnection.

Approval of Collective Bargaining Agreement (FY23-FY25) between the LCWD and AFSCME Laborers Union (representing operators & administrative staff).

Attorney Maser and Superintendent Scenna have been working on this throughout the entire process. There is an agreement with the ASCME Council 93 for a 3-year bargaining agreement in effect from July 2022 and remaining in effect for 3 years. This is the first time in history the district has a written document that basically forms the framework where employees and management work. This is contractual and stays in writing until new things are negotiated. It is thorough and meets standards across the industry and is fair. It speaks of just cause, seniority, accruals, holidays vacation, overtime and speaks to insurance and on-call which were more of the difficult articles to hash out. We feel it is fair and fiduciary responsible to the district. It maintains a palatable insurance plan. Health insurance is status quo with the same plan but with a different split for the next fiscal year. A committee will be formed to look at redefining the insurance that doesn't hurt anyone and to trend us in the right direction of managing insurance within the budget. At the same time, we have a plan in place for sharing the load for on-call and properly compensating them. The contract speaks to the DEP requirement for monitoring our system 24-7. COLA and clothing allowance is in there. Most first contracts don't have much detail and that's why it took 18 sessions. The union ratified the CBA this morning. Commissioner Walsh thanked Attorney Maser, former Commissioner Jack Adelson and the chair for the countless hours. We are always looking for the appropriate balance for the ratepayers that are paying for the service and applaud all involved for the great work.

Motion: a motion was made to approve and enter into a contract with labor put forth between ASCME Council 93 and the district effective FY23 July 1, 2022.

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

Superintendent's Update

The FY24 Operating Budget, discussion and approval will be at the 4/26/23 meeting.

February results were posted on the website today. Superintendent Scenna was on the town's coffee talk cable show last week to address PFAS. The EPA is changing the rules which will trigger treatment for Glen Drive. The EPA will give communities 2 years to meet the new rules and by then Glen Drive will be built. The SRF, not having to go through conservation and the easement on Sagamore will save us a ton of money on construction and are game changers. We will filter all water through Glen Drive to remove PFAS. Glen Drive Treatment Plant is scheduled to go to the DEP in September for review and then will go out to bid.

March 2023 Volumetric Billing Summary and FY to Date Review.

The majority of our customers are still at an average water bill every quarter. Spring and fall usage tend to be the same and winter usage drops. It appears we sold a little less water last year. The higher rate is to pay off debt. We don't anticipate \$1 million in free cash this fiscal year. T-Mobile notified us they are pulling off the tank. We want to leave some

free cash behind. We want to be careful of the high rates because some customers will install wells.

Well 7 at Phillips Rd is acting up. Weston & Sampson (W&S) is scheduled to come in to fix the well within the next few weeks. The quoted job is not to exceed \$30,000.

Donald Swimm of 1219 Main St. wants to be removed from the district. Clerk of the District, Attorney Doyle and Superintendent Scenna met with Mr. Swimm in December. Mr. Swimm continues to call. We sent him minutes from prior meetings and a cover letter that was provided to the commissioners. Mr. Swimm decided not to come to tonight's meeting and will have legal counsel represent him. We spoke to District Counsel, Attorney McEnaney (KP Law) and the charter does not spell out how he can get out of the district. He was at the Special District Meeting where he was accepted into the district and had the opportunity to speak but did not. Attorney McEnaney's concern is others may expect to be let out of the district if he is allowed.

Continued Business: n/a

Other Board Items:

Motion: a motion was made to approve prior meeting minutes.

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

A motion was made to adjourn the regular meeting at 8:13 pm for the board to go into executive session.

Respectfully submitted,