



**Meeting Date:** June 6, 2023, at 4:30

**LCWD Board of Commissioners  
Public Board Meeting – Regular Session**  
Lynnfield Town Hall, Maney Room

The meeting was opened at 4:00 p.m. for an executive session. The executive session was to discuss legal strategy surrounding potential suit with a tax levy at 1219 main Street; Rauseo v. Doyle; Statewide Restrictions by Region; PFAS litigation. The public session started at 4:36 p.m.

**Present:**

Chairman Joe Maney, Commissioners Andy Youngren and Steve Walsh; Clerk Tim Doyle, Treasurer Kevin Sullivan, Attorney Thomas MacAnany, LCWD Superintendent John Scenna, Mary Marengi, Anthony Capachetti from Hayes Engineering; Summer Help Employees; Emilie Cadematori, Planning & Conservation Commission Director; Richard Kosian and Jennifer Welter, Open Space Committee; and Town Administrator Rob Dolan.

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**Summary of Action Items from Meeting:**

- Send annual district meeting minutes to the State (JS)
- Approve & execute Superintendent contract (JS with KP Law)
- Investigate new health insurance for next fiscal year (JM to Committee)
- Further discussion of the proposal to allow walking trails on LCWD land (Follow up to Planning & Conservation with Board concerns. JS)
- Further discussion of Vallis Way, the elimination of the easement on Lots 1&2; the developer wants to install a fire hydrant asap for grading of land; Anthony will give update in one week, and Scenna will get a bond and permit (Issue first permit (JS) and review additional information provided JS upon receipt of information from Hayes)
- RFP for antenna installation on Wing Road water tower (target September advertising)
- Plans for Glen Drive treatment plant completed (60% workshop on 7/12 with CDM and 90% workshop target is mid-September.)

## Minutes

### Informal

JS introduction of Mary Marengi, Ian MacDonald, Dante Gesamondo, Jack, Brendan Henehan. All four summer help crew will be working full time this year, full 40 hour work weeks, split with LCWD or Public Safety/DPW. DPW to reimburse LCWD for labor provided to them from LCWD.

### Agenda Item 2: Continued Business (discussed first)

**2a. Approval of ADM/SDM Meeting Minutes:** Tim Doyle (**TD**): Annual district meeting, article 13. The minutes the board has are abbreviated. TD will give updates to the conclusion of the meeting.

John Scenna (**JS**): The minutes will be stamped later this week and will be sent to the state.

Joe Maney (**JM**): motioned to approve minutes, second by AY and motion passed 3-0

**2b. Extension of IMA with Town of Lynnfield for Share Superintendent Services**

JS: The Memorandum of Agreement has worked very well so far; JS is part of the management team which meets every Monday morning and coordinates his work with other senior Department managers in the Town regarding capital projects. Town Administrator Rob Dolan reinforced several benefits LCWD receives because of the partnership and the Town utilizes the services, management experience of JS. RD also stated that the Town feels that their relationships with state and federal government are strong and translate to large savings through grants that benefit the District.

RD also stated that he feels they have been able to assist with the extension of Wakefield water main; working together on the Sagamore project created historic precedent for the two groups and yielded LCWD expansion of the system at no cost and an easement to help with infrastructure problem solving. For 20 years everything was separate, but in the last few years we have begun to meld quite well utilizing each other's strengths. "We can continue for a few years to complete these projects and then talk more about where else to take this relationship," said RD. JM asked if RD can help with insurance committee discussion given his background. RD said he would be happy to help.

JM also stated that he feels working together will only benefit us with all the construction and partnering with the Board of Selectman and the coordination John and Rob have to do on a daily basis on our projects and theirs.

RD provided an example to that effect. Detail patrols are hard to find – it's a sneaky little savings just being in the same room with us on this. The LCWD project got prioritized over Walnut Street because of JS. No details mean work gets shutdown or we have to work around traffic. That is unsafe and can lead to cost implications. John worked with the Chief to make sure his details got filled and also got filled with LPS and not State Police who work at a higher rate. RD stated that "The fact is JS works for LCWD but is a senior member of our team too – we understand that without water, nothing in the town works. We're all in with continuing the relationship and hope it continues for a long time."

**Motion** to extend the MOA made by AY, second by SW; motion passed 3-0.

**2c: Approval of Superintendent Contract Extension**

JM: “JS has been without a contract for nearly a year and without a COLA increase for over 1.5 years. The office manager and workers’ union contract is now settled and it was a long process he worked though. I feel this is fair and basically extends to him what others in the union received. His contract will be signed backdated to 9/22.”

**Motion** to approve and execute JS’s contract made by AY, second by SW; motion passed unanimous 3-0.

**2d: 2023 – 2024 Board of Commissioners Liaison Assignments**

JM remains as chair; Andy Youngren (**AY**) remains as vice-chair, Steve Walsh (**SW**) remains as clerk. Assignments will be as follows:

**Maney (Chairman)**

- Daily Operations & Emergency Situations
- Operating Budget
- Customer Service Billing & Procedures
- State & Federal Funding Sources
- System Expansion (Development, Planning Board)

**Youngren (Vice Chair)**

- Procurement & Contracts
- Construction Projects
- Restriction Levels
- Policy & Rules & Regulation Manual
- Complete Charter Bylaw Home Rule Petition
- Capital Budget

**Walsh (Clerk)**

- Bonding, Capital Project Borrowing
- OPEB & Retirement System Liaison
- Town of Lynnfield Liaison with Board of Selectmen (Tax Levy, Intermunicipal, etc.)
- Labor

**Abatement Review Committee** (recommendations made to Full Board)

- Scenna
- Doyle
- Sullivan

## **Insurance Review Committee** (recommendations made to Full Board)

- Youngren
- Sullivan
- AFSCME
- AFSCME
- Chairman
- Consultants as needed

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### **Agenda Item 1: New Business**

#### **1a. *Presentation from Conservation Commission and Open Space Committee on Walking Trail Vision for the Beaver Brook Dam and Willis Woods***

Emilie Cademartori **(EC)** and Richard Kosian **(RK)** from the open space committee presented a proposal to create a series of walking trails through conservation lands, Town land and some LCWD land.

**Executive summary:** Conservation Commission and Open Space Committee **(CCOSC)** and its members are asking the LCWD board to grant permission for their organization to build a network of trails through land owned by the Town, Conservation Commission and LCWD (which will also in some instances connect to surrounding towns) for recreational use including hiking, mountain biking, horseback riding, snow shoeing, and cross country skiing. In addition, they would map out the trails and advertise their existence to the general public (statewide). With only 50 feet of frontage, the entrances would need to be at Glen Drive and Main Street, which would require signage, gates, and bollards. EC presented a proposed map of the area on the smart board. Information will be sent electronically to attach to these minutes.

**Details:** LCWD holds the largest amount of land in Lynnfield – 700 acres – and has the opportunity to allow public access for recreational use. EC said that opening land for public access would reduce undesired users we presently have, namely dirt bikes. EC envisions a grant funded process to create walking trails within LCWD land and expanding these trails to connect to surrounding towns (North Reading, Middleton, Wakefield, Peabody.)

EC expressed a desire to protect open space and habitats, while having appropriate trails. The CCOSC hired a consultant who specializes in building trails. The consultant evaluated what is presently used as trails; what existing trails should be removed due to close proximity to wetlands; and came up with a plan for a series of trails. Some trails already exist, some require rerouting and bridges, and the public will need a way to get in. EC proposed the creation of parking spaces at Glen Drive and another entrance near Main Street. Most of the trails are actually already in use, some are already advertised so regulated use would make it safer for LCWD.

EC said the best place to start with first year items would be to address the ability of first responders to have access to the area. There was a fire two weeks ago in the woods, the fire department used the City of Lynn's pumping station bridge, and the fire was partly on LCWD land and likely created by some unauthorized use.

There is a portion of the existing trail that needs to be graded; the fire department wants to make improvements to make sure there is adequate access for fire apparatus. It's mostly on the ground already. The trail crosses LCWD land but on the northern side.

CCOSC needs LCWD approval so they can start getting grants in the big grant round in the fall. They might have donors able to provide a cash match for donations. How should this plan be formalized?

**Questions/answers from the LCWD Board:**

Has EC talked to Tom Mullen? *There is a conservation restriction, but it doesn't call out public access – it would have to go to the state.*

How would we control access/people using the trails: *CCOSC would make a large investment in signage of prohibited activities and areas, such as No Hunting! (There are people hunting now.) No motor vehicles (ATV people currently claim they are going onto private property but there is no private property back there.)*

Do Lynnfield Police want to take part in this? *The argument is that there are people back there using ATVs already, and first responders need to have access in case of a needed rescue. The fire department didn't know how to get back there for the brush fire.*

AY: What happens if the parking area is full at Glen; what entity would manage and maintain the network of trails? *EC: Overflow parking would be in the Glen Drive neighborhood – there could be people already parking there now. We rely on the Boy Scouts, and in South Lynnfield the mountain bikers do it themselves. Maintenance is an issue, but it comes about when people use the area. We have friends in Greenbelt.*

AY: The water district doesn't have the budget to maintain or repair any trails. Who would take the lead in making this ongoing relationship/enterprise work? *EC: Until it's on the ground it's hard to know. It will be a group effort and won't be known until it's on the ground. It won't always be perfect and people walking on trails don't expect perfect.*

AY: The LCWD will end up fielding complaints, questions, etc. You're asking us to grant permission: Who are we granting permission to? To what entity to go ahead and do things? *EC: If the trail plan is accepted and we're doing work on any part of your property, we expect it would be approved on a case by case basis depending on how big the projects are.*

Richard Kosian spoke about the map presented on the smart board regarding a similar approach with the Beaver Brook Dam land behind center market which abuts the WTP wells and LCWD land. See map attached with this proposal. Presently, there is no feasible way to go from one end of the Beaver Dam reservation to the other end without accessing the gravel path – the road that leads to one of the LCWD wells. CCOSC is hoping the district will allow passage between the two trails. There is a yellow trail on the map that goes to Needham Road. Trog Hawley trail is in great shape and doesn't need maintenance. There is a Boy Scout that wants to connect Grayland Road and Carter Road; there is a big cul-de-sac on Carter Road for parking. A possible access point is at the end of Phillips Road. People could also walk through the Apple Hill neighborhood/streets to get from one trail to another. The trails proposed by CCOSC go right past LCWD wells and the new treatment plant.

JM: This is a lot to digest, and we'll take it under advisement.

EC: We'll send final draft when it's ready; they would love feedback. EC thinks they can steer people away from places that LCWD doesn't want them to be.

JS: Suggests eliminating loop around wells, treatment plants, etc. JS is open to invited trails onto LCWD property but not near infrastructure. EC thinks people will go the right way and follow the signs because people that walk open space care about open space.

### **1b. 109 Lowell Street, Vallis Way Development, Water System Modification Request**

**Executive summary:** LCWD had approved a plan given to us in February of 2022, but the plan has changed without any notification to LCWD. The developer removed an easement in the back between lots 1 and 2, which would have been a way to provide water to and loop in Smith Farm, which would prevent a dead end. The developer and Planning Board claim that easements on Smith Farm do not actually exist. LCWD was never made aware of this change until permits were requested and JS noted the changes. The Vallis Way lots on the end next to the easement (Lots 1&2) have a purchase and sale signed/under agreement without the easement.

**Details:** Anthony Capachetti from Hayes Engineering represented the project. He said that going through the approval process, he got a report from CDM – and felt that the redundancy wouldn't affect the volume and pressure on Vallis Way. JS agreed but water quality on a dead end at Smith Farm would benefit from the original plans and that this change should have been requested not just assumed by the project.

Validity of the easement – the Planning Board passed the project without the easement; Lots 1 and 2 are already under agreement. Adding an easement would be impossible according to the project team. The goal is improving water quality on Smith Farm. Hayes presented plans about installing valves and gate valves and hydrants so the lines could be properly flushed. Becomes a flushable dead end. The easement not properly recorded on Smith was on lot 15.

The first change needs to be Smith Farm water quality.

The second change: moving hydrant to end of cul-de-sac for flushing capability. There's a route that they could back route over private property in an emergency. Add another hydrant up towards Lowell Street. We were not notified when the easement was taken off the table, which is a problem.

AY: "We had an engineering solution to solve a problem that JS worked very hard at reviewing and commenting on. It is irrelevant to LCWD that someone signed a P&S; that P&S is outside of the LCWD agreement because the developer removed the easement. As soon as this problem was known, LCWD should have been tagged in to get attorneys to help draft a solution. It's disappointing that we were not told. I'd like to see the easement added back in as we originally approved."

"Are the other conditions that were voted on a couple of years ago, ok? The condition fees, etc." AC stated yes. AC asked that if a decision cannot be reached tonight - will

LCWD allow a first hydrant in? They want to keep moving forward with the project and need water to do grading. They are a month out from clear and grubbing. They would like a stub in with a hydrant and a tap and sleeve and valve. They'll need a meter and backflow.

AY: "Will the developers approach one of the buyers to see what they say about adding in the easement? Does Smith Farm have awareness that there is an easement there?" The easement isn't on their deed. The easement was never recorded so it doesn't get acknowledged on their deeds. It got lost in 1974. The driveway at Smith Farm would probably have to be torn up to place a water main.

AY: "It's shocking that we're only hearing about this now. 19 Smith Farm is the one that's encumbered. The other option is if they came through Sagamore and then down and in. Run a 4 on a loop - the issue you're going to have a lot of 8". Once Sagamore starts drawing water, you're not getting much flow." AC will give an update on the easement in one week. JS will get a bond and permit and issue it for the initial work to install one hydrant off Lowell Street connection.

AY: "The two lawyers should talk. I'd like this easement to be added back into the project."

### **1c. *Issuance of New RFQ for antenna installation @ Wing Road***

Dish network wants to get on Wing - T-Mobile wants to get off. RFP this summer for proposals? MJS said he can work with Christine to advertise in September. Also, make sure the colors of cables are included in the RFP.

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## **Agenda Item 3: New Business**

### **3a. *Update on Glen Drive Treatment Project Design Process***

JS: Tomorrow we're laying out the process for Glen Drive to all Town Department Heads. We will have to go before the Zoning Board but possibly not Conservation. Tomorrow the Department heads will be presented the project. Access of the fire dept to the area will also be reviewed. 60% design review plans will be set in a week and that meeting will take place on 7/12/23 at Town Hall. CDM will issue that invitation.

### **3b. *Wakefield Interconnection***

The Wakefield line is in and being tested. We'll disconnect our system on Main Street and our fire hydrants and the Northrup building once this Wakefield line is tested, cleaned and started.

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## **Agenda Item 4: Superintendent's Update**

### **4a. *Water Restrictions & Daily Operations***

The Water Restriction is L3 - Memorial Day was a problem. The tanks would drop 5 feet, recover 1 foot; the next thing you know you they aren't recovering and are 18 feet

down. At present, the equipment is resting at various intervals, and the wells have recovered. Operators control the resting cycle based on data collected on performance, flow rates, levels of water available in the wells, etc. Hopefully we'll stay at L3 throughout the summer. Operators are taking photos and warning letters have been going out.

**4b. Summer Help**

We are coordinating with DPW for summer help this year.

**4c. June Billing and FY23 Close Out**

We've done the readings for 6/1 and need to create the bills. JS has a stack of a/p bills to pay as well.

**4d.** In regard to Station 2 – the PFAS filter is tracking well. Nick and Brian and the other operators have done an exceptional job of managing the samples and running the plant. They are working extremely well together, and this is to the benefit of the system which has been at non-detect levels since start up and actually within allowable limits this entire year.

PFAs levels of 28 have tested at the influent (water as soon as it's pumped from the well) and we're at non detect coming out of the system. The system is to credit for that improvement.

JS also said the Abatement Committee will have to meet prior to the Board's next meeting.

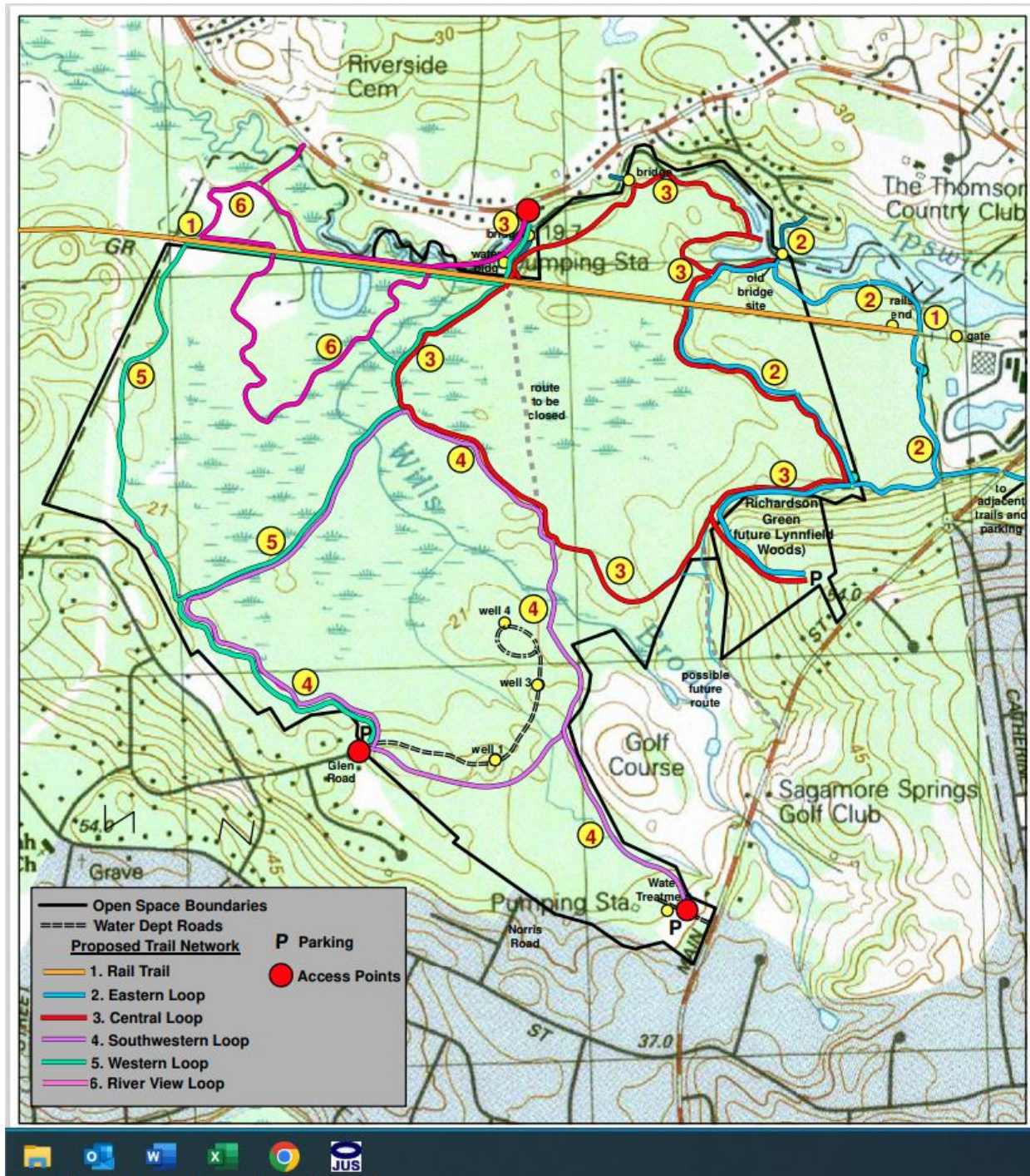
**Adjourned: 6:21pm**

*Minutes submitted by M. Marengi*

# Revised Willis Woods Proposed Trail Networking Map 6-5-23 (Page 1 of 1)

Presented by Emilie Cadematori, Planning & Conservation Commission

Director Richard Kosian and Jennifer Welter, Open Space Committee



# Beaver Dam Brook Reservation

## LCWD Access Proposal

Beaver Dam Brook Reservation (BDBR) is comprised of 51± acres of contiguous open space located in Lynnfield Center. It abuts 120± acres reserved for water supply purposes owned by the Lynnfield Center Water District (LCWD). The Conservation Commission (ConCom) owns an additional 15± acre parcel near BDBR (adjacent to Violet Circle), but which is not now contiguous.

Currently, these 3 areas are separate in terms of connectivity and access. This proposal seeks LCWD permission to allow identified passive recreational trail expansion and additional public access points to LCWD lands. In this way, all three areas will provide a large open space opportunity for residents which will connect seven neighborhoods in the very heart of our town. (Please see attached Map 1)

There are already many existing trails on LCWD lands. This proposal would:

- 1) Provide an opportunity to re-route existing trails away from LCWD infrastructure,
- 2) Develop new trails to connect entire trails network in a continuous 2.4-mile trail system,
- 3) Provide public access points for connection to 7 neighborhoods,
- 4) Develop signage approved by LCWD

In order to implement the proposed trail system connections described above, the following pedestrian and bicycle access to LCWD property is requested. **(Please see attached Map 2):**

- Access to the LCWD Access Road from Phillips Road to the Centre Court Trail
- Access to the LCWD Access Road between the Centre Court Trail and the Trog Hawley Trail
- Access to the LCWD Access Road to the northerly end of the Access Road
- Access to the existing trail from the LCWD Access Road to Needham Road (including rights to traverse the LCWD easement on parcel 0019 0000 0923)
- Access to the existing trail from the Needham Road Trail towards Tophet Road
- Access to the potential future Violet Circle Trail. (The Violet Circle developer has indicated a willingness to provide an access easement from Violet Circle or Apple Hill Lane to the ConCom property adjacent to Violet Circle.)

## Background

Pursuant to the Town's recently State-approved Open Space and Recreation Plan (OSRP), the Select Board appointed an OSRP WORKING GROUP to assist the Town with implementation of the Plan's action items. The WORKING GROUP has identified the need to improve access and connectivity throughout BDBR, and the opportunity for BDBR to connect several neighborhoods to each other and to the center of town with off-street walking and cycling paths. However, access through LCWD property would be required to provide this connectivity.

## Existing Trail System

The existing trail system consists of two main trails (see attached map):

- The Centre Court trail is approximately 0.4 miles long, beginning at Centre Court and ending at the LCWD access road. Currently, the public is not allowed to trespass onto LCWD property, so this trail dead ends when it reaches the "no trespassing" signs at the LCWD Access Road. There is a short 0.2 miles long unimproved trail spur to Carter Road that could be improved in the future to provide connectivity to Carter Road.
- The Trog Hawley trail is approximately 0.4 miles long, beginning at Trog Hawley and ending at the LCWD access road. Currently, the public is not allowed to trespass onto LCWD property, so the Trog Hawley trail also dead ends at the LCWD Access Road.

## Proposed Trail System

Expanding the existing trail system would connect the following areas/neighborhoods to each other: Centre Court, Carter Road, Phillips Road, Grayland Road, Trog Hawley, Needham Road, and Violet Circle, creating a 2.4-mile trail system connecting 7 neighborhoods. The potential trail link to Violet Circle would create a future off-street or low traffic connection from the center of town to the Apple Hill neighborhood, and potentially to Willis Woods and the Lynnfield Wood Lot. *The Violet Circle developer has indicated a willingness to provide an access easement from Violet Circle or Apple Hill Lane to the ConCom property adjacent to Violet Circle.*