



Chelmsford Water District

20 Watershed Lane • Chelmsford MA 01824-4884 • www.chelmsfordwater.com

Minutes Regular Meeting Wednesday, December 12, 2018

Present: Commissioners: John G. Harrington, Bill Martin, and Ronald Wetmore
Business Director/Treasurer: Lisa Valcich
Environmental Compliance: Todd Melanson
Recording Secretary: Gail Wilkish
Attorney: James Hall
David Vigeant
Robert Doak
Pat Wojtas

1. Meeting was opened at 1:00 p. m. with the Pledge of Allegiance.

2. Environmental Compliance Report – Todd Melanson

A document titled “Environmental Compliance Manager's Report Water Commissioners' Meeting: 12/12/2018” was distributed and supporting documentation was reviewed, discussed, and questions addressed item-by-item. The report included the following items: Energy Update, District Issues, Town Issues, Water Conservation and Withdrawal, and Outreach along with Cumulative Precipitation Comparison Chart and USGS Chart.

3. Superintendent's Report – Robert J. Delaney

A document titled, “The Superintendent's Report, December 12, 2018” was distributed and supporting documentation was reviewed, discussed, and questions addressed item-by-item. The report included the following items: Riverneck WTP, Smith Street WTP, Canal Street Wells, Locke Road Booster Station, Service and Water Main Breaks, Hydrants, Turnpike Tank Chloroform Testing/Inspection Reporting, Crack filling and Seal Coating Office Parking Lot and Meadowbrook 3 Wells.

Also, discussed was the Municibid 2001 F450 Truck. Mr. Delaney asked at this time, the Board of Water Commissioners vote to approve the sale of the District's F-450 truck to the high bidder, David Butz. Mr. Harrington made a motion to approve the sale of the 2001 F450 Truck to David Butz. Mr. Wetmore seconded the motion. Hearing no further discussion, the commissioners voted as follows: Mr. Harrington, Aye; Mr. Wetmore, Aye; and Mr. Martin, Aye. The motion was unanimously approved by the commissioners.

Next, Mr. Delaney at this time asked the Board of Water Commissioners vote to approve the sale of the sander to the high bidder, Ronald Chevarie. Mr. Harrington made a motion to approve the sale of the sander to Ronald Chevarie. Mr. Wetmore seconded the motion. Hearing no further discussion, the commissioners voted as follows: Mr. Harrington, Aye; Mr. Wetmore, Aye; and Mr. Martin, Aye. The motion was unanimously approved by the commissioners.

4. Business Director/Treasurer's Report – Lisa Valcich

Ms. Valcich provided updates on the following items: Account Notes: Approval of IMA to Attorney Hall for action. Actuarial Valuation 2018-2019. Actuarial is complete for FY2018. Middlesex Retirement Funding, December 2018 Liens to the Town.

PUBLIC RECORDS REQUEST - November 16th Received letter addressed to Richard Delaney and each commissioner individually requesting public records detailed in 15 specific bullet items and requested under Freedom of Information Act (FOIA) which is a federal law for federal government. I spoke to Massachusetts Attorney's office on 3 different occasions to seek guidance as CWD follows Massachusetts Public Record Law rather than federal law. I also spoke to Attorney Hall regarding the request. Request was received on November 16, 2018. Email sent to Attorney Harvey acknowledging request and intention to respond within time frame. Public records require response to requestor within 10 business days which would have been December 3, 2018 and 25 business days to gather and produce the records which will be December 20, 2018. If difficulty to produce within 25 business days then we must file a 10B letter by tomorrow requesting more time. Attorney Harvey sent a letter dated November 16, 2018 to Richard Delaney and the CWD Commissioners indicating that under no circumstances shall he respond to any emails and all communication should be in writing and signed by appropriately appointed representative of the Chelmsford Water District Commission and mailed to his office. Ms. Valcich questioned her actions to the attorney at the state house and they could not comment specifics but led her to believe that she had appropriately communicated receipt of request. On the commissioner's approval, Ms. Valcich will send a letter signed by her as the Appointed Public Records officer of the Chelmsford Water District and mail 338 pages and copy of map to Attorney Harvey's office before December 20th deadline.

A motion to approve was made by Mr. Harrington. Mr. Wetmore seconded the motion. Hearing no further discussion, the commissioners voted as follows: Mr. Harrington, Aye; Mr. Wetmore; Aye, and Mr. Martin; Aye. The Commissioners voted unanimously to approve sending Public Requests documents via U.S. Mail.

Costs for public records request – Municipalities with a population of 20,000 and under are permitted to charge not in excess of \$25.00 per hour for hours spent compiling, segregating, redacting and reproducing a requested record. Municipal Records officers may petition supervisor for permission to charge a fee in excess of \$25.00. Estimated time spent was 20 hours @ \$25 = \$500. In addition, a Records Officer may charge no more than .05 per page for single white paper copies – 339 pages * .25 cents per copy = \$84.75. Total fee allowable

\$584.75.

All municipalities are strongly urged to waive the fees associated with the access of public records, but are NOT required to do so under the law.

Based on open transparency and the strong relationship that Chelmsford Water District strives for with their customers, Ms. Valcich approved waiving the fee for this request.

EAST CHELMSFORD WATER DISTRICT - Ms. Valcich received on December 7, 2018 certified letter from East Chelmsford Water Commission relinquishing and transferring all rights and services for buildings in East Chelmsford as outlined in our proposed IMA. East Chelmsford is proposing signature and transfer effective January 1, 2019. Attorney Hall was asked to review and attended our meeting to discuss areas of concern in regards to signature of this letter specifically as it pertains to ECWD disclosure of any known issues or concerns in regards to these buildings, timing of transfer (Jan vs July), requirement to add 7 fire protection addresses to the list that currently are being supplied by us but billed through ECWD. In addition, it is Ms. Valcich's belief that there needs to be a memorandum of understanding on what constitutes transfer – meters & equipment, hydrants, back flow preventers, water main breaks, emergency repairs, notification for police/fire and future 129 growth in this area. Mr. Martin suggested Attorney Hall redraft the East Chelmsford Water District letter for the next Chelmsford Water District meeting. Attorney Hall will redraft the letter on or before the next Chelmsford Water District meeting and will submit it back to Ms. Valcich this week.

ACTUARIAL RESULTS - Actuarial is complete for FY2018, results and analysis as follows:

6.30.2018 TOTAL OPEB LIABILITY = \$716,660

6.30.2018 INVESTMENT NET POSITION = \$941,601

6.30.2018 NET OPEB LIABILITY = \$224,941

Discussion to revisit during FY2020 budget review in regards to funding retiree health benefits annually through investment vs operating budget.

December 2018 liens which included 14 accounts which totaled \$6,116.56 have been sent to the town for inclusion on tax bill.

5. Bill Martin revisited Lamplighter Green- easements discussed and David Vigeant clarified where the easement exists.

6. Previous Minutes

A motion to approve the November 14, 2018 Minutes was made by Mr. Harrington. Mr. Wetmore seconded the motion. Hearing no further discussion, the commissioners voted as follows: Mr. Harrington, Aye; Mr. Wetmore; Aye, and Mr. Martin; Aye. The Commissioners voted unanimously to approve the minutes.

7. Upcoming Meetings

Regular Meeting: Wednesday, January 16, 2019

8. Meeting Adjournment

The meeting was adjourned at 3:55 p. m. on a motion by Mr. Wetmore. The motion was seconded by Mr. Harrington. The Commissioners voted as follows: Mr. Harrington, Aye; Mr. Wetmore, Aye; and Mr. Martin, Aye. The motion was unanimously approved.

Respectfully submitted,

Gail M. Wilkish
Recording Secretary