

**Littleton Light and Water Departments
Board of Commissioners
Meeting Minutes**

July 9, 2019

I. Present for Meeting

Commissioners: Jim Karr, Ivan Pagacik, Dick Taylor, Bruce Trumbull

General Manager: Nick Lawler

Staff: Paul Denaro, Corey Godfrey, Kevin hunt, David Ketchen, Pat Laverty, Matt McFarland

Audience: Anthony Ansaldi, Paul Cook, Kirby Dolak, Paul Glavey, Joseph Knox, Gary Lacroix, Cindy Napoli, Nina Nazarian, Chris Stoddard

Meeting called to order: 6:04 PM

Meeting Adjourned: 8:13 PM, Motion by Commissioner Pagacik, seconded by Commissioner Trumbull. The Vote: 4-0 in favor.

II. General

1. Approve Agenda – On a motion made by Commissioner Trumbull and seconded by Commissioner Taylor, the Board approved the amended Agenda. The vote: 3-0 in favor.
2. Approve minutes from May 21, 2019. On a motion made by Commissioner Trumbull and seconded by Commissioner Taylor, the Board approved the Minutes. The vote: 3-0 in favor.
3. Approve minutes from June 5, 2019. On a motion made by Commissioner Taylor and seconded by Commissioner Trumbull, the Board approved the Minutes. The vote: 3-0 in favor.
4. On a motion by Commissioner Trumbull and seconded by Commissioner Taylor, the Board approved the executive session minutes from May 21, 2019, March 14, 2019, January 29, 2019, December 19, 2018, November 20, 2018, October 17, 2018, September 5, 2018 and August 8, 2018. The vote: 3-0 in favor.
5. Recognize Public Attendees – None

III. Electric Light Department

1. Boy Scouts of America – Assistant General Manager Ketchen explained that General Manager Lawler had received an email from the Town of Littleton Treasurer Steve Venuti explaining that the Town's tax ID had several open accounts at North Middlesex Savings Bank and that the accounts were tied to the Boy Scouts of America. Ketchen explained to the Board that since the troop was chartered by the Littleton Electric Light Department that technically LELD owns all of the scout's equipment purchased using those bank accounts. Ketchen explained that because of the liability and how expenditures would

need to be processed, Venuti and Ketchen recommend to not continue to charter the Boy Scouts of America. Commissioner Pagacik opposed and explained that LELD's partnership with the Boy Scout of America had been a good partnership and that we can continue to fund them through the community grant program. Gary Lacroix, a representative from the Boys Scouts, explained that they had already personally purchased their new trailer and it is not registered through the Town of Littleton; instead it is registered for a troop volunteer. Commissioner Pagacik explained that once the Board is presented with a bill of sale, then they can begin the process to reimburse.

2. Electric Operations Staffing Changes – Assistant General Manager Ketchen informed the Board of recent staff changes that had taken place. Ketchen explained that Rick Bourassa's last work day was on June 27th and his last day officially was July 18th. Ketchen explained that Dan Patterson announced his retirement and his last day will be on August 7th. Patterson is a 32-year employee. Ketchen also explained that Matt McFarland has been promoted to the role of Distribution Supervisor. McFarland will work as a Working Foreman through the end of 2019 and then he will be reviewed with hopes that he can officially begin in his new role as Distribution Supervisor.
3. FY18 Financials
 - a. Budget - The Board reviewed the 41.67% complete budget.
 - b. Cash Report, Rate of Return and Fund Balances – The Board reviewed.
 - c. Power Supply Report – The Board reviewed the May report.
4. Finance Committee – The Board discussed a process to appoint the Light and Water representative. It was discussed that next meeting the Board would have a potential candidate to interview.
5. Denise Pagacik Scholarship Award – Assistant General Manager Ketchen presented a letter of gratitude to the Board that was written by Littleton High School Principal Harrington.
6. Small Cell – Assistant General Manager Ketchen gave the Board an update on the Small Cell working group. Ketchen explained that the first meeting was scheduled for July 16, 2019 and that the members of the group are Ivan Pagacik, LELWD Board of Commissioners, Joe Knox, Littleton Board of Selectmen, Mark Montanari, Littleton Planning Board, Lyle Webster, Master Plan Implementation Committee, Wes Fowlkes, Boxborough Select Board, and Cindy Markowitz, Boxborough Planning Board. AGM Ketchen explained that at the first meeting they would discuss goals and Ketchen would give a presentation on Small Cells.
7. EEI Nextera – Confidentiality Vote – On a motion by Commissioner Trumbull and seconded by Commissioner Taylor, the Board will vote, pursuant to Massachusetts General Laws Chapter 164, Section 47D, to declare pricing information contained in the PPA between Nextera Energy Marketing and the Littleton Electric Light Department signed on June 27, 2019 as necessary for protecting trade secrets, confidential, competitively sensitive or other proprietary information based on this Board's determination that disclosure of such pricing information will adversely affect the ability of Littleton Electric Light Department to conduct business in relation to other entities making, selling, or distributing electric power and energy pursuant to Massachusetts General Laws Chapter 164. The Vote: 3-0 in favor.

8. Existing PPA's – Confidentiality Vote – On a motion by Commissioner Pagacik and seconded by Commissioner Trumbull, the Board will vote, pursuant to Massachusetts General Laws Chapter 164, Section 47D, to declare pricing information contained in the list of PPA's provided by the General Manager to this Board as necessary for protecting trade secrets, confidential, competitively sensitive or other proprietary information based on this Board's determination that disclosure of such pricing information will adversely affect the ability of Littleton Electric Light Department to conduct business in relation to other entities making, selling, or distributing electric power and energy pursuant to Massachusetts General Laws Chapter 164. The Vote: 3-0 in favor.

IV. Water Department

1. FY19 Financials
 - a. Budget – The Board reviewed the 91.67% complete budget.
 - b. Cash Report – AGM Ketchen gave a summary of the cash report to date.
2. Whitcomb Ave Treatment Plant Update – AGM Ketchen gave a verbal update on the design progress with this project. Ketchen stated that on June 5th LWD received a permit to construct from the planning board. Ketchen also presented to the Board a letter from the Department of Environmental Protection that states approval and a Permit to Construct the Whitcomb Avenue Treatment Facility.
3. Cobbs Well Update – GM Lawler gave a brief verbal update on the permitting progress with this project. Lawler presented the Board with a letter from the Department of Environmental Protection stating that an analytical approach to delineate the Zone II and identify potential impacts associated with the proposed Cobbs Pond wells to Cobbs Pond, Nagog Pond and private drinking water wells is appropriate for this project.
4. Town of Boxborough – GM Lawler gave a verbal update on the discussion with the town of Boxborough with regards to water supply.
5. Indirect Expenses to LELD January 1, 2019 through June 30, 2019 - On a motion by Commissioner Pagacik and seconded by Commissioner Trumbull, the Board approved to forgive LWD of indirect expenses for the period January 2019 through June 2019 in the amount of \$151,185.71. LELD will charge them off as an additional in lieu of tax payment for the year ended December 31, 2019. The vote: 4-0 in favor.
6. Reserve Fund Transfer – On a motion by Commissioner Taylor and seconded by Commissioner Trumbull, the Board approved to transfer \$70,000 from the LWD reserve fund into salaries and \$2,100 from the reserve fund into capital equipment. The vote: 4-0 in favor.
7. Cedar Hill Standpipe – GM Lawler explained that Underwater Solutions Inc. had just completed a structural analysis of the Cedar Hill Standpipe. GM Lawler stated that after reviewing the results, he believes it is beneficial to the town and LWD to begin the design process to construct a new Standpipe at Cedar Hill.

V. General Manager

1. Action Items for GM
2. Next Meeting Date – The next meeting date was set for August 13 at 6:00 p.m.

VI. Executive Session

1. At 7:31 p.m. a motion was made by Commissioner Pagacik and seconded by Commissioner Trumbull and unanimously voted by roll call to enter into Executive Session for the purpose of discussing litigation with regards to Nagog Pond, for the purpose of discussing litigation with regards to Whitcomb Ave, for the purpose of discussing litigation with regards to Contractors Network, Incorporated and with the purpose of then to not reconvene in open meeting. The Roll Call Vote: Pagacik – Yes, Taylor – Yes, Karr – Yes and Trumbull – Yes.
2. At 8:13 p.m. a motion was made by Commissioner Pagacik and seconded by Commissioner Trumbull and unanimously voted by roll call to exit Executive Session and adjourn the meeting. The Roll Call Vote: Pagacik – Yes, Taylor – Yes, Karr – Yes and Trumbull – Yes.