

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

August 14th, 2024

I. Present for Meeting

Commissioners: Melissa Hebert, Joe Knox, Scott Larsen, Ivan Pagacik, Dick Taylor

General Manager: Nick Lawler

Staff: Corey Godfrey, Dave Ketchen, Matt Silverman, Sara Karr

Meeting called to order: 6:00 PM

Meeting Adjourned: 8:00 PM, Motion by Commissioner Larsen, seconded by Commissioner Pagacik. The Vote: 5 – 0

II. General

1. Pledge of Allegiance
2. Approve minutes from June 26th, 2024, on a motion made by Commissioner Larsen and seconded by Commissioner Knox, the Board approved the minutes from June 26th, 2024, The Vote: 5-0
3. Public Input – None

III. Electric Light Department

1. FY24 Financials
 - a. The Board reviewed the 50% complete budget
 - b. Power Budget – Board reviewed; everything is in line for the rest of the year.
 - c. Capital Budget – Board reviewed, fleet vehicles are finally coming in and we are expecting to fully expend that budget.
 - i. Some transformers will be coming in this year, the remaining transformers will be in at the end of year next year.
 - d. Cash Report – Board reviewed.
 - e. Rate of Return – Board reviewed.
 - f. Energy Efficiency Report – Connor is planning an EV forum with the Sustainability Committee during the fall time.
2. Capital Project Update
 - a. Littleton Common EV Charger
 - i. Revoli will be paving the lot for us in the next few months and then we will get the chargers installed.
 - b. Beaverbrook
 - i. Multiple poles replaced that were rotting.
 - c. Snow Drive
 - i. Tree wire upgrades
3. Boxborough Renewable Energy Trust – Template legal agreement was reviewed by our council, and it is now back to the State for any comment/changes.

IV. Water Department

1. FY24 Financials
 - a. Budget – The Board reviewed the 100% complete budget.
 - b. Capital Budget – The Board reviewed.
 - c. Cash Report – The Board reviewed.
2. Capital Project Updates
 - a. Lead Service Program
 - i. The regulation for Lead Service goes into effect in October of this year. The Water Department will be submitting a preliminary lead service inventory.
 - ii. We do not have any lead services data for about 2/3rds of our customers. Once this regulation goes into effect, we will be sending notice to those customers stating that we are unsure if they are drinking contaminated water.
 - iii. Before the regulation goes into effect, we will send out our own mailer alerting those customers about the new regulation and encourage them to get an inspection done.
 - iv. We will be offering sampling to these customers if they would like their service tested.
 - b. Cedar Hill
 - i. Block party September 14th 11:00am-1:00pm
 - c. Whitcomb Ave Treatment Plant
 - i. We are down to one punch list item.
 - d. Boxborough Project
 - i. The legislation should be coming out tomorrow, the bill is in its 3rd reading.
 - ii. Bid opening is two contracts, the Trumbull Well and the Watermain to Boxborough. The bid openings will take place September 18th and 19th. We will need to award contracts by October.
 - iii. The permitting is still being worked on and should be complete by September.

V. Sewer Department

1. FY24 Financials
 - a. Budget – The Board reviewed the 100% completed budget.
 - b. Capital Budget – The Board reviewed.
 - c. Cash Report – The Board reviewed.
2. 254-260 Ayer Road – Ayer IMA
 - a. GM Nick Lawler and Corey Godfrey met with the Superintendent and DPW Director of Ayer and explained our concerns. He was able to explain what the benefits would be and what the Town was looking for, which was helpful since no one explained these to us prior.
 - b. There is a trailer park and gas station in Ayer which they are looking to develop, and it needs sewer services. This would benefit those 6 homes that would be able to connect to sewer that otherwise could not afford it.
 - c. Town Council is currently reviewing the IMA
 - d. On a motion made by Commissioner Knox and seconded by Commissioner Larsen, the Board rescinded their vote from the previous meeting to allow legal town council to work on the Ayer IMA. The Vote: 5-0
3. Project Updates

- a. 242 King Street Plant is moving along, and Onyx is out of the ground. The plant should be done by the middle of next year.
 - b. Revoli is working their way through the common. Revoli should be complete by the end of this year.
 - c. Sewer Forum schedule for October
4. Sewer District Expansion – 531 King St and 311 Great Road
- a. Two condominiums 531 King St and 311 Great Road were not assessed a betterment even though they are a part of the district. The Board will need to add these properties to the district, amend the betterment policy, and reassess betterments.
 - i. On a motion made by Commissioner Pagacik and seconded by Commissioner Larsen, the Board approved the Pursuant to the authority set forth in Chapter 279 of the Acts of 2020, move that the Littleton Board of Water Commissioners, in their capacity as Sewer Commissioners, vote to expand the Littleton Common Smart Sewer Division, as initially defined in Section 9 of Chapter 279 of the Acts of 2020, in accordance with the provisions of Section 1 of the Act by adding the following properties to the Division: U07 8 2, U07 8 3, U07 8 4, U07 8 5, U07 8 6, U07 13 2, U07 13 3, U07 13 4, U07 13 5, and U07 13 6. The Vote: 5-0
 - ii. On a motion made by Commissioner Pagacik and seconded by Commissioner Larsen, the Board approved Pursuant to the authority set forth in Chapter 279 of the Acts of 2020, move that the Littleton Board of Water Commissioners, in their capacity as Sewer Commissioners, vote to adopt the Betterment Policy dated August 14, 2024, as amended, in accordance with the provisions of Section 4 of the Act. The Vote: 5-0.
 - iii. On a motion made by Commissioner Pagacik and seconded by Commissioner Larsen, the Board approved Pursuant to the authority set forth in Massachusetts General Law Chapter 80, Section 16, Massachusetts General Law Chapter 83 and Chapter 279 of the Acts of 2020, move that the Board of Water Commissioners, in their capacity as Sewer Commissioners, vote to determine that the betterments assessed pursuant to the Order adopted on August 6, 2023, for the following properties are invalid and further vote to adopt a Statement of Action and Order for the Reassessment of Betterments and that such properties shall be reassessed in the amount provided for in the Betterment Policy dated August 14th, 2024:**Parcel ID Property Address Owner (as of August 1, 2024)** U07 8 1 531 King St, Unit 1 Blue Columbine Properties LLC, U07 13 1 311 Great Rd, Unit 1 Sherry Realty Trust and authorize Town Counsel to record notice of this Action and this Order, as well as any other documents related to this betterment as required by law. The Vote: 5-0
 - iv. On a motion made by Commissioner Pagacik and seconded by Commissioner Larsen, the Board approved Pursuant to the authority set forth in Massachusetts General Law Chapter 83 and Chapter 279 of the Acts of 2020, move that the Littleton Board of Water Commissioners, acting as Sewer Commissioners, vote to adopt a Statement of Action and Second Order for the Assessment of Betterments for the purposes of recovering

the costs of constructing a system of sewerage and drainage and sewage treatment and disposal, known as the Littleton Common Smart Sewer Division, originally assessed pursuant to the Order adopted by the Board on August 6, 2023, the following properties shall be bettered:

Parcel ID Property Address Owner (as of August 1, 2024) Est. Tot.

U07 13 2 311 Great Rd, Unit 2 Sherry Realty Trust LELWD to complete

U07 13 3 311 Great Rd, Unit 3 Sherry Realty Trust

U07 13 4 311 Great Rd, Unit 4 BLW Realty LLC

U07 13 5 311 Great Rd, Unit 5 Sherry Realty Trust

U07 13 6 311 Great Rd, Unit 6 BLW Realty LLC

U07 8 2 531 King St, Unit 2 Blue Columbine Properties LLC

U07 8 3 531 King St, Unit 3 Blue Columbine Properties LLC

U07 8 4 531 King St, Unit 4 Blue Columbine Properties LLC

U07 8 5 531 King St, Unit 5 Blue Columbine Properties LLC

U07 8 6 531 King St, Unit 6 Blue Columbine Properties LLC

and authorize Town Counsel to record notice of this Action and this Order, as well as any other documents related to this betterment as required by law. The Vote: 5-0.

VI. General Manager

1. General Manager Update
 - a. Oak Hill - LELWD is sponsoring the Oak Hill event this weekend for any commissioners that would like to attend.
 - b. Rotary Carnival is coming back September 5th-8th. LELWD will work with Rotary again on this event and cover the cost of water.
 - c. Nick received a letter from the Affordable Housing Trust on 242 King Street which he does not support. They want to put a deed restriction on the house to make it strictly for affordable housing. We are currently unsure what we want to do with this property, but we do not want to begin putting restrictions on it.
 - d. Navajo Nation – This is an electricity effort to bring electricity to Navajo Nation. We have participated in this twice already and have a team that is willing to go next year. If the board wants to attend and show support, please let Nick know.
 - e. Dave Ketchen has been recognized by the Commonwealth of Massachusetts to receive the Cybersecurity & Risk Management award. The work that Dave does here has been instrumental, especially with Volt Typhoon.
 - f. Nick was made aware of a comment that came from Select Board Member Mark Rambacher at their most recent Select Board meeting. During a feasibility presentation from DPW Director Steve Jahnle, Mark Rambacher made a remark stating that it sounded like Steve was asking to take on two more departments. Nick stated it is completely unprofessional for a Select Board member to make a comment like that, especially during a public meeting. We have employees there that watch these meetings, it is a naïve and reckless comment to make. This would be financially reckless to take the Water Department away from the Light Department. Mark has made these comments before but to come out publicly is offensive to our staff and is completely inappropriate.
2. GM Review Process
 - a. Nick sat down with Commissioner Larsen and Taylor to preform his review. Commissioner Larsen stated it has been a great year with Nick and he has done an

exceptional job managing Light, Water, and Sewer. Nick wears many different hats, but he always gives 100% to this department.

- b. On a motion made by Commissioner Pagacik and seconded by Commissioner Larsen, the Board accepted the review with the salary adjustment as presented. The Vote: 5-0.
- 3. Next Meeting and Adjourn
 - a. September 25th at 6:00pm

VII. Executive Session

- 1. No Executive Session was needed.