

Water
Commissioners
Michael Hume
Donald Priestley
Carl Sauter

Superintendent
Kenneth R. Wysk

Regular Meetings
2nd Monday
4:00pm



Orange Water Department

16 West Myrtle Street
Orange, Massachusetts 01364
Telephone: 978-544-1115 • Fax: 978-544-1122
watersuper@townoforange.org

COMMISSIONERS MEETING MINUTES

Meeting Date: 04/10/2023

Meeting Location: Water Dept. Office

Members Present:
Mercedes Clingerman
Michael Hume

Members Absent:

Others Present:
Kenneth R. Wysk
Jane Pierce

Meeting open: 04:06 PM

Minutes – Minutes for the last meetings were not ready for reading and approval at this time.

Bills/Payments – The Commissioners were given an opportunity to review the bills that have been submitted for payment since their last meeting.

Contracts — Kenneth Wysk informed the Board that there was no new contract information at this time.

Visitors — Michael Hume, recognizing a visitor present, offered the floor to them. Jane Pierce introduced herself and proceeded to explain that the purpose of her visit was to ask for assistance with the MEPA paperwork associated with the parcel of land at 295 Holtshire Road to be able to sell the property. She explained that within Article 97 of the MEPA paperwork there is language requiring that the portion of land having previously been under jurisdiction of the Water Department would need to have another parcel of land with equivalent water supply protection value substituted for it in order to satisfy this provision. With this in mind, it was decided by the Board of Selectmen that another town parcel on Lake Mattawa, at 129 Lake Mattawa Road could be offered to the Water Department as an adequate substitution if the Board of Water Commissioners would be interested. After some deliberation about the potential usefulness of this property in the emergency situation of having to utilize Lake Mattawa as an emergency backup water supply as listed with the Water Department Emergency Response Plan, it was concluded that it would be beneficial. Kenneth stated that this was actually the item that he mirrored the executive session wording from the BOS meeting for this meeting. With this discussion being in open session, no one thought that it really needed to be within executive session for the decision to be made. Therefore, Michael motioned to accept 129 Lake Mattawa Road for potential emergency Water Department needs to satisfy the portion of Article 97 within the MEPA application. Mercedes Clingerman seconded. Motion was approved unanimously. Jane thanked the Board for their time.

Water District Discussion — Kenneth informed the Board that the reason that he had put this on the agenda was to get the current Boards thoughts on this topic that has been brought up a few times in the past. He explained that the most distinct benefit over the current governmental framework in which we now operate in is that it provides more separation to address water department needs and requirements away from other town situations, with only customers of the water system being able to vote on matters that pertain directly to

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them. Currently, any registered voter within the town that may not even have our water service at their property has a vote on departmental matters. Mercedes asked if Kenneth knew of any system that had recently changed from one option to the other to discuss why they decided to make the change. Kenneth said that he would look into that. Kenneth just wanted to open a dialogue about the potential with the Board before allocating time and effort into further research. He had worked within other water districts himself in the past, and felt that there were definite benefits in his opinion. The Board agreed that they would be interested to learn more about it.

Town Meeting Article Discussion/Vote – Kenneth discussed with the Board four articles for funds transfers requiring town meeting vote. These need to be submitted prior to a May 8th deadline, so they are in DRAFT form for the Board to discuss. Kenneth will make whatever revisions the Board may see fit and make sure that they are submitted prior to the deadline, and the Board will receive copies of the submittals at the next meeting. Mercedes motioned to approve the Articles as discussed to be submitted to be put on the Special Town Meeting Warrant on 06/20/2023 for vote. Michael seconded. Motion voted unanimously.

Superintendents Update — Kenneth informed the Board that he had nothing to add that had not already been discussed within other topics.

Adjourn – Mercedes motioned for the meeting to be adjourned and Michael seconded. Motion voted unanimously to adjourn the meeting at 7:05 PM.

Attachments: Article Submission for 06/20/2023 STM

Minutes taken by: Kenneth R. Wysk
Approved by: _____
Michael Hume Chair
Donald Priestley Vice Chair

Member

COMMISSIONERS MEETING MINUTES

Meeting Date: 07/13/2020

Meeting Location: Water Dept. Office

Members Present:
Carl Sauter
Michael Hume

Members Absent:
Donald Priestly

Others Present:
Kenneth R. Wysk
David Welenc
Jane Pierce

Meeting Open: 4:22 PM

Surplus Property Declaration / Vote – Upon opening of the meeting, Chair Michael Hume asked Kenneth Wysk to explain what the Surplus Property Declaration was about. Kenneth proceeded to explain that back on 04/11/2017 the board had made a declaration of surplus property for watershed land described on town map #249 lots #24 and #25 of being no longer needed for water supply purposes so that they could be sold, as the process has been moving forward, there had been additional subdivisions of this property. Under the direction of town council, it has been recommended that the Board of Water Commission make another Declaration referencing the subdivisions that have been made as to not have any confusion as this moves forward through the next steps of the process. In essence, it is a document “housekeeping” measure for something that had already been decided by the board previously, using very specific language. The board had no problem helping the process move forward. Michael made a motion using the following language provided: Pursuant to MGL c.40, s. 15a, move that the Orange Board of Water Commissioners, having charge of the land in the town known as Assessors’ parcels 24 and 25 on Map #249 at Lake Mattawa, and further subdivided on a Plan of Land prepared for the Inhabitants of the Town of Orange by Edward W. Berry, March 11, 2020, hereby declare and determine that said land is surplus property being no longer needed for water supply purposes. Carl Sauter seconded. Motion voted unanimously and the document was signed. Jane Pierce thanked the Board for their prompt attention to the matter, and received a copy of the signed document.

Minutes – Minutes for 06/08/2020 meeting were read. Carl motioned to accept the minutes as read. Michael seconded. Minutes voted unanimously to be accepted as read.

Bills/Payments – The Commissioners were given an opportunity to review the bills submitted for payment since their last meeting.

Contracts – Kenneth Wysk informed the board that our Community Development Director, Alec Walsh, has been pursuing a MassWorks grant opportunity that could potentially complete an upgrade to piping on South Main Street to eliminate the last of the 1892 piping on that road. This is in conjunction with The Highway and Wastewater departments. The application process is to be submitted by late August with funding dispersed in the Spring of 2021 if awarded to us.

Superintendents Update – Kenneth informed the board that at the close of the fiscal year the revenue received definitely showed the financial effect of pandemic, with around \$100K below projected during the budget setting period last year, but due to anticipating this and minimizing spending through the last quarter, we still ended with retained earnings. Final numbers are not yet available at this point.

Visitors — Visitor present had no questions.

Adjourn — Michael motioned for the meeting to be adjourned and Carl seconded. Motion voted unanimously to adjourn the meeting at 5:37 PM.

Attachments: Surplus Property Declaration

Minutes taken by: _____
Approved by:

_____ Chair

_____ Vice Chair

_____ Member



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

EXHIBIT D

Department of Environmental Protection

Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

SENT VIA ELECTRONIC MAIL
watersuper@townoforange.org

February 8, 2024

Board of Water Commissioners
16 West Myrtle Street
Orange, MA 01364

Re: Orange
Orange Water Department
PWS ID# 1223000
Land Acquisition

Dear Board Members:

MassDEP is in receipt of January 10, 2024 and January 24, 2024 electronic correspondence from Ken Wysk, requesting that MassDEP grant approval for the Orange Water Department to sell lands located within the watershed of the Town's emergency supply source, Lake Mattawa.

The lands in question are described by the Town of Orange Assessor as parcels 24 and 25 on Map #249 in the Town of Orange, and were further subdivided on a Plan of Land prepared by Edward T. Barry dated March 11, 2020. These lands were purchased more than 100-years ago for water supply purposes. The proposed sale is similar to a sale of lands around Lake Matawa which was approved by MassDEP within an August 27, 2007 correspondence.

In accordance with Massachusetts Drinking Water Regulation 310 CMR 22.24, MassDEP has determined that the lands in question are no longer required for water supply protection purposes and grants approval for their sale. Lake Mattawa has not been used as a supply source since the early 1900s. The property in question now has a residence on it as do other properties around the lake initially purchased for protection purposes.

Questions regarding this document should be directed to Douglas Paine at douglas.paine@mass.gov.

Respectfully,

Andrew Kelly
Drinking Water Section Chief
Western Regional Office

cc: DWP Boston; Board of Health
W:\BWR\WS\Enforcement\Permits\Land Sale\Orange\1223000-2024-02-08-LTR-Property Sale Lake Matawa
Y:\DWPArchive\WERO\Orange-1223000-Source Protection-2024-02-08

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.

TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Board of Selectmen
Town Hall Meeting Room
March 13, 2024
5:30 p.m.

Final Minutes

Present: Tom Smith, *Chair*; Pat Lussier, *Vice Chair*; Andrew Smith, *Clerk*; Jane Peirce, *Member*; Julie Davis, *Member*; Matthew Fortier, Town Administrator; Brianne Bruso, Administrative Assistant

Call to Order: Tom called the meeting to order at 5:30 p.m. He announced it was being aired and recorded by AOTV. The emergency exits were read and the Pledge of Allegiance was recited.

Open Time for The Public:

Ann Reed wanted to note at the last meeting Andrew Smith maintained his oath of office by clarifying that open time did not need to stick to the agenda. Ann identified several instances that were of concern regarding the use of Town Hall by citizens. Tom and Jane both noted that we have an obligation to the taxpayers to maintain the security of the building. Nancy Blackmer noted that we have groups coming in taping for YouTube and the need to protect our employees as well as the files and records of town.

Richard Sheridan made a statement on the Armory. When there wasn't a commission, the Town Administrator and Selectmen had taken over the maintenance of the Armory. We have had several maintenance issues that weren't addressed that may have prevented the town offices move to Cheney Street. Andrew noted we need to be responsible with the management of taxpayers' funds.

Fawn Weinstein requested that the Armory Commission be on the March 27th agenda. She was asked to send an email with the request. Tom stated they would be on the agenda.

Scheduled Appointments:

Holly Corrales-Tallant, Interviewee Town Collector: Holly was welcomed back for her second interview. The Selectboard had a series of questions for the candidate.

Nicole Bowers, Interviewee Town Collector: Withdrew from the process.

Shana Smith, Interviewee Town Collector: Shana was welcomed back for her second interview. The Selectboard asked the same series of questions.

We have 2 excellent candidates with different approaches to the work. They both have experience which would make them able to do the job. After discussion, the Board reached a decision. The posting requires an Associates Degree, or amend the job description to say "or equivalent experience"; would the candidate who is offered the job make a commitment to getting the degree. Matt noted the state is moving away from requiring degrees.

Pat made a motion that we offer the Town Collector position to Shana Smith; Andrew seconded.

A TRUE COPY ATTEST:

Nancy M. Blackmer

TOWN CLERK, TOWN OF ORANGE

All in favor.

Jane would like to know if we could talk to Holly about the Assistant Collector's position. We do need to follow the process of hiring the Assistant Collector.

Walker Powell, Community Development:

- **Marijuana Establishment Application Process:** Walker presented a power point on the process updates from the CCC. This is a huge change. We will use the model HCA with some edits after discussion with Matt. There is also new Social Equity Standards that must be adopted by May 1, 2024. They must include an Equity Plan. Walker's suggestion is to issue an RFP for a consultant to assist us in writing with plan to be sure we meet all the requirements of the law. Walker is looking for the Selectboard to offer any feedback/ideas on the application/scoring process.
- **Discussion of Town-Owned Buildings:** This is a continuation of the discussion of Building Management Strategy to have a comprehensive plan for town owned buildings and maintaining them. We would need to determine the decision-making body for building management strategies. Walker reviewed proposed steps for the library, Butterfield and the Armory. Walker has also been looking at potential funding sources. Walker was thanked for all the information she presented. We have applied to FRCOG to be part of the Brownfield Study, which is Phase 2 of the Armory plan.

General Business:

- a. **Surplus Property: Holtshire Road:** This is related to the sale of property on Holtshire Road, which was voted at Town Meeting to sell this property.

Pat made a motion to see if the Selectboard will vote to sell the land on a plan entitled Plan of Land Holtshire Road, Orange, MA prepared for the inhabitants of the Town of Orange, MA on March 11, 2020 prepared by Edward T. Berry, PLS; 29 South Main St.; Athol, MA. 01331 depicting the parcels to be sold including 295 Holtshire Road and the surrounding property to Thomas and Tracy Flaherty; Matthew and Angela Gilmore; Douglas and Chante Jilson; Cheryl Kelleher; and Anthony and Katie Gemma all as approved at the Special Town Meeting on September 14, 2020. Andrew seconded. All in favor.

- b. **Reappointment of Boards and Committees:** The terms run out in March and this needs to be done by the end of this month. This is just the ones up for reappointment. The Board will take this up at the next meeting, March 27, 2024.
- c. **Approve Automatic Amusement Device License: Dave's Arcade:** Bri confirmed that Dave's Arcade has paid all 2024 fees.

Andrew made a motion to approve the Automatic Amusement Device License for Dave's Arcade operating at 5 East Main St., Orange, MA. Pat seconded. All in favor.

Town Administrators Report:

Matt provided the Selectboard with a copy of proposed Amendment #3 Agreement between the Town of Orange and Weston and Sampson Engineers, Inc. There is a plan to build a water tower at the Industrial Park on Daniel Shays Highway. The design estimate exceeds the budget we have in place, they have provided this amendment to reduce the quote with different options. We could put up the \$62,000 for a

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Nancy M. Bloomer
TOWN CLERK, TOWN OF ORANGE

EXHIBIT E

*Board of Selectmen
March 13, 2024
Meeting Minutes*

second design for a water suppression only tower. Another option is to put an Article on the Town Meeting Warrant for borrowing the difference. There are some favorable loans available to put in a potable water supply.

Jane made a motion we present a warrant article to borrow \$1 million to subsidize the construction of a water tower at the Industrial Park on Daniel Shays Highway at the Annual Town Meeting.

Andrew seconded. Andrew, aye; Jane, aye; Julie, aye; Tom, aye; Pat, nay.

Matt thanked Oscar and the Waste Water Treatment Facility for coming in on a Saturday for the influent pump issue. We were able to get approval for emergency rental of pumps.

Board of Selectment Announcements:

Andrew spoke of the storm events and wanted to remind people to be careful with fallen trees/branches. It can be a very dangerous situation. Please call the Police and Fire Departments. Downed wires can be a very dangerous situation.

Jane wanted to let the people know that when there is a Monday holiday, then the Transfer Station is closed on Tuesday; not closed on Saturdays.

Jane mentioned that the Finance Committee is meeting and working on the budgets. We had made a motion to do a 3% increase for department heads. We need to look at the wage study itself and the impact. This is still an ongoing commitment.

Jane also noted it was great to hear Walker talking about Butterfield and all the other town buildings. There is a concern about buildings we don't own that the South Main buildings are in really bad shape. This may be the time to do another structural status review. With the Board's permission, she would be happy to contact Jeffrey Cooke, our Building Commissioner about this.

Tom read a statement from Fire Chief James Young.

Unfortunately, the boys' basketball team lost last night. Tom acknowledged all the players on the team, coaches and managers.

Announcements:

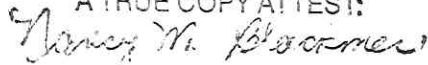
Todd Soucy has submitted his resignation as of February 28, 2024 from the Planning Board and Zoning Board of Appeals.

Ryan Mailloux has submitted his resignation as of March 4, 2024 from the Rent Control Board.

Jane made a motion to appoint Ryan Mailloux as our Interim Deputy Collector for the Town of Orange to serve until such time as Matt says he doesn't have to do it anymore. Pat seconded. All in favor.

The Town Clerk's Office will be closed on March 18, 2024 for an active shooter training.

There are two vacancies on the Planning Board; one vacancy on the Zoning Board of Appeals; and, one vacancy on the Mobile Rent Control Board.

A TRUE COPY ATTEST:


TOWN CLERK, TOWN OF ORANGE

EXHIBIT E

*Board of Selectmen
March 13, 2024
Meeting Minutes*

John Walsh from the Tenant's Association at Leisure Woods: They are expecting a rent increase from the park owner fairly soon. They want to be sure that the association can meet with the Rent Control Board and are wondering who they will be meeting with before the proposal for the increase is submitted. The Rent Control Board would have a hearing for both sides to speak.

Approval of Minutes:

Pat made a motion to approve the minutes of February 28, 2024. Andrew seconded. All in favor.

Upcoming Meetings: March 27, 2024

Adjournment:

Tom made a motion to adjourn from this meeting and to not return for an Executive Session under M.G.L. c.30A, Sec 21 at 7:56 PM. Andrew seconded. Andrew Smith, aye; Pat Lussier, aye; Jane Peirce, aye; Julie Davis, aye; Tom Smith, aye.

Respectfully submitted,

Sunday Dempsey Lefebvre

Sunday Dempsey Lefebvre

A TRUE COPY ATTEST:

Nancy M. Blackmer

TOWN CLERK, TOWN OF ORANGE