

DENNIS WATER DISTRICT

Board of Water Commissioners

Minutes of Meeting

January 25, 2024

A meeting, having been duly posted, was held this date at the Stone Hearing Room, Dennis Town Hall, 685 Route 134, South Dennis and called to order by Paul F. Prue, Chair, at approximately 10:00 AM. Water Commissioners Peter L. McDowell and Robert M. Perry were present. Also present were David Larkowski, Superintendent and Sheryl A McMahon, Treasurer.

The Pledge of Allegiance was recited.

Public Information - None

FY 2023 Audit Review with Roselli, Clark & Associates

(8:15) Chair Prue recognized Mr. Don Piatt from Roselli, Clark & Associates. He served as the manager during the audit. He provided an update on the FY 2023 financial results and reviewed a short presentation with the Board. The audit was conducted under generally accepted government accounting standards and a look at the internal controls. Mr. Piatt advised that the audit assess risk of material areas and essentially cash is the biggest risk area. A “clean” audit opinion was issued along with the management letter. Mr. Piatt commended the good working relationship his firm has with Ms. McMahon and her group. Revenues increased about \$867,00 over the previous year primarily due to user charges received and positive results in the solar income. On the other side, expenses increased about \$750,000, mostly due to employee benefits. This is because the financial statements are done a full accrual basis. This takes into account the pension and OPEB [Other Post Employment Benefits] adjustment increases. On the cash basis, the employee benefits were consistent year-to-year. The pension liability is now \$3.3 million, an increase of about \$1 million. This is the result of the Retirement system’s investment loss of about \$185 million. On the OPEB side, the liability went down to \$2.2 million, a decrease of about \$600,000 due to changes in the actuarial assumptions.

Mr. Piatt noted that network security is something auditing firms are paying attention to as it is such a concern across the state and the country. They noted that the District has contracted with a firm to take care of the network security and monitoring and he said that was a great step. Other key areas that have also been noted in previous audits is a rate study to help assist with capital planning and future budgeting, the development of policies and procedures manual and if possible additional segregation of duties. Mr. Piatt did acknowledge that this is difficult to achieve in small districts like Dennis Water.

Mr. McDowell asked about the difference between the unfunded liability of \$2.2 million and the current year actual budget of \$70,900. Mr. Piatt explained that the unfunded liability identified in the District audited financial statements was provided by an actuarial report. He assumed the amounts that Mr. McDowell was referring to was the cash-basis funds that were being appropriated into the OPEB Trust Fund. Ms. McMahon noted that the District has, over the past several years, appropriated money towards that OPEB obligation. Mr. McDowell inquired about the Trust Fund. Ms. McMahon stated that you won’t see the unfunded liability within the annual budget. It is the future obligation that the district has to pay the district share of retirees’ insurance. Ms. McMahon said that she would prepare an outline for the Board and provide the actuarial report.

The Chair asked if there was any additional discussion. Mr. Perry found the summary that was provided to be adequate. He noted that the majority of expenses relates to labor costs and economic trends. On a motion made by Robert M. Perry and duly seconded, the Board **UNANIMOUSLY VOTED: to accept the audit**

report. He further noted that the auditing team would continue to be available if the Board had any lingering questions.

(00:26:09) **(a) Re-consider Issuing Request for Proposal for Auditing Services** – Ms. McMahon noted that at the last meeting, in the absence of the Chair, a motion was made to release the Request for Proposal for Auditing Services but did not pass. She had provided the Board with a draft, twice and at this juncture, recommended that the due date for the responses should be February 21, which is the day before the next Board meeting in February. This will give the auditing firms time to respond. They will be responding in two parts. One part is the scope of work; what they propose to do that their capabilities. The second one is a sealed envelope that contains their pricing and that will be brought to the Board to be opened at the meeting. This was the same process used last time which had been authorized by the Board. Ms. McMahon recommended that the Board authorize the issuance of the audit by selecting firms based on a list of auditing firms that have previously submitted reports to the Department of Revenue. She recommended the following firms; Bruce Almida, Clifton Larson Allen, Lynch Marini and Associates, Malanson Heath & Co., Powers and Sullivan, R. E. Brown, Robert Bliss, and again Roselli, Clark and Associates. Mr. Perry said that he would take Ms. McMahon's word that this was an important item to keep on track.

(00:29:37) Robert M. Perry moved that the Board authorize the Treasurer to send the request for proposal for auditing services, as presented to the Board with a due date of February 21, 2024 to the following auditing firms that have previously reported to the Department of Revenue; Bruce Almida, Clifton Larson Allen, Lynch Marini and Associates, Malanson Heath & Co., Powers and Sullivan, R. E. Brown, Robert Bliss, and again Roselli, Clark and Associates.

(00:30:24) Mr. McDowell said he was at a particular point where he had some concern and it was going to take some item out of order but, he would be quick. He said under the revised raft (dated 12/22/2023) of the meeting there is something that got missed and he was upset about a required Massachusetts law that was apparently not followed. He said he wanted to raise the question and save time because it is something he has asked for two times already. He continued to explain. He read aloud from the bottom of Page 3 of 6; *"Mrs. McMahon said that this was in reference"* and it said that I made reference, and requested information relative to compensation and benefits received by employees and commissioners. She said there was a communication issue regarding the definition of benefits. Ms. McMahon had distributed the report for the two fiscal years already requested. The reports include all employees and elected officials and their benefits. She said that the cost to the district of an employee's future retirement benefit is not individually known.

Mr. McDowel said that he didn't notice that when he went through the minute. He continued reading: She said that her issue at the time was that it is not a push button. Mr. Perry said that this was off-topic. Mr. McDowell objected and then continued: She said, now this is about the insurance I'm asking about, this law. She said that the cost of the district of an employee's future retirement benefit is not individually knowable. Well, I miss that and then see it in the reading in the minutes. However, it goes on said she said that her issue at the time was that it was not a push button process to identify the benefits. It was labor intensive, but it [is] done. Ms. McMahon said that she said no longer interested in pursuing the board adopting a policy so long as requests are not required [frequent] or impose on regular job duties. She did not mind doing them. Mr. McDowell said he had not seen that but continued by saying however, Massachusetts law does in fact require that we obtain, and this the third time he had asked, and since she slipped this in this suggested he was looking for the future. He said he never asked for future. Nobody asked the future, but she slipped it in. And it wasn't seen until this time. Past history is required by Massachusetts law and we must require that. He directed the following to Ms. McMahon: Do you want me to get into that law or can you explain why you have chosen, now a third time, why did that slip in about future? Why did that slip in about future? He said he had never asked about any of it and she knew it.

Ms. McMahon said she really couldn't answer the question because she was not sure what the question was. As the Clerk, she said there was a motion on the floor to release the RFP for auditing services, which really

doesn't have anything to do with the review of the minutes. She said it was off-topic and I think the motion has not been seconded for releasing that request for proposals. ***Chair Prue seconded*** the motion. She recommended that if there was no discussion about the motion, that the Chair call for the vote. Mr. Perry said that with a call for the vote he would vote "aye". Mr. McDowell said he would abstain because he could get it done quicker but he was going to take up the next item and go into all that again. Ms. McMahon confirmed that the ***vote was two-to-zero with one abstention***.

Update: Town of Dennis Wastewater Implementation

(00:36:22) The Superintendent said that he did not have a lot of new information to share but did report that the Town has not gotten back to him with where they are with the additional review of Site 2 that the District had requested. The District had asked for additional scenarios and additional modeling information. He said that he did have a meeting coming up and would be asking that. He advised that the Town is seeking a grant for a scope of work to investigate future sites within the Zone IIs. The Town continues to move forward with their plans for sewerage. There's a lot of work still going on with the design of the plant, the distribution system, and the collection system. There are almost 200 borings that they are doing around Town. He said he would provide further updates in the future.

(00:39:09) Mr. McDowell said that as a Water Commissioner he has been expressing serious concerns about the future of the quality of the drinking water. He commented that all the wastewater treatment facilities, most of the all of them in the town have been approved by the DP or an appropriate federal agency before they can discharge the waste, the remnants of the wastewater, on their piece of land. That means, currently every drop, almost every drop, of treated wastewater has been approved by a governmental agency, he believed and every bit of it is on the same piece of land as toilets are on. He said it will be done in five phases. He further noted that every person, when the wastewater treatment pipe goes by the front of the property, the owner will be required to connect up to that pipe at whatever that cost will be. He further noted that the wastewater treatment facility discharge will be underneath the Town of Dennis. Mr. McDowell then noted that the PFAS is going to be reduced to 5 parts per-trillion (ppt). There was further discussion regarding the contamination limits of PFAS and asked that Mr. Larkowski confirm that if wells exceeded the limit they would have to be shut off. He confirmed that the current MCL limit is 20 ppt and that the blended levels going into the distributions system from the treatment plant is well below the current limit of 20 ppt. Mr. McDowell mentioned his concerns about the proposed five discharge locations. He his concern is that the quality of the water is good until it isn't. And when it isn't, you shut it off. He also noted the possibility of thousands of affordable housing units and asked where that wastewater was going to go. Mr. McDowell suggested that a solution would be to discharge the wastewater into the ocean off Cape Cod Bay.

(00:49:22) Mr. Larkowski advised that he has asked consultants about an ocean discharge and that the Marine Sanctuaries Act will not allow that. It is essentially off the table. Mr. Perry said that over the course of this project laws may change. He believed the Board is now engaged in educating ourselves about what the Town's procedural steps that they are going through as they rethink their discharge. He said it was important for us to pay attention and he was going to avail himself of any meetings that he can attend. Mr. McDowell expressed strenuous concerns about the possibility of having to shut off contaminated well. Mr. Perry asked that the Board proceed on to the next agenda item.

Consider Renewal of Intermunicipal Agreement with Town of Dennis – mutual consideration of certain fees and services expired on or about April 18, 2023.

(00:56:53) Mr. Larkowski advised that the Intermunicipal Agreement with the Town recently expired. He did not believe there was anything to add or subtract from it unless the Board had something. It was noted that in the future, the Town may want to negotiate the sharing of water usage data in terms of their billing for sewerage. Ms. McMahon advised that having the agreement was important so that as town managers and department heads come and go, they would have these considerations in writing.

She further advised that, technically, without the Board agreeing and having this done, she should be billing all of the towns the full cost of their next water billing. She recommended that the Board vote to continue this agreement and ask the that the Select Board do the same and sign it. The agreement can always be amended in the future or a separate agreement could be made. She recommended a term of five years. In section 8, she noted that the Board or the Town can terminate on a 30-day notice. There was a discussion regarding the amount of water the Town is allowed for certain types of property, such as traffic islands, and when they exceed that amount they are billed at the production rate. Ms. McMahon said the production rate is about \$3.05 per thousand gallons. Beaches, golf courses, harbors and the transfer station are billed full cost because they are all business-like operations and recover their costs through services fees. There was a short discussion about the golf courses having their own water supply and retention ponds for irrigating the grounds. There was also mention of customers and their lawn irrigation systems and that in the future, there may be a discussion about deduct meters. Mr. McDowell said he would be abstaining from this item as he abstained from the last. On a motion made by Robert M. Perry and duly seconded, the Board ***VOTED: 2-0-1 (PLM abstaining) that the Board renew the inter municipal agreement with the town of Dennis, which is mutual consideration of certain fees and services that expired on or about April 18, 2023.***

FY 2025 Budget Discussion

(1:07:58) Mr. Larkowski requested that the Board consider discussing payroll in an Executive Session as the Board has an Executive Session scheduled at the end of this meeting. The Board had been provided a copy of the line-item budget for FY 2025 prior to the meeting. He began with a budget summary which indicated that if everything was approved as proposed there was insufficient water revenue to support it. He advised that the filter plant project [Greensand replacement] was estimated at \$2.1 million. The District has set aside approximately \$500,000 leaving a funding need of \$1.6 million. Land purchases were also being considered at a cost of approximately \$1.5 million. This is outside what the District has available for revenue and would have to be borrowed. He reviewed the revenue sources and, after including the borrowings, the budget deficit was \$958,000. Free Cash is estimated to be \$986,000. If all of the Free Cash was used to fund the deficit, there would only be about \$27,000 left. Mr. Larkowski said that changes to the rate structure would need to be done this year. Without objection, he said he would address items that were changing. The following are line items that were discussed:

Truck and Vehicle Expense: a \$3,000 increase. The fleet is getting older as trucks are not being replaced as frequently.

Electricity: a \$24,000 increase. A new 3-year contract at an initial 11.6 cents per kilowatt hour.

Sick Leave Buy Back: as a function of payroll, it was bypassed for the present.

Treatment Chemicals: going out for a group bid later this spring. It may need to be adjusted later.

Propane: increase of \$1,000, currently has a good price – went up based on usage.

Engineering and Professional Services: slight increase to \$30,000 – it is difficult to predict the need for consulting services but, the need continues to trend with more frequency.

Postage Expense: increase of \$4,000 due to rates – hopeful that the increase in ebills will decrease this expense. There was a general discussion about the postal and FedEx deliveries.

Substance Abuse Free Workplace: slight increase of \$250 to reflect expenditure trend.

Communication Expense: increase of \$1,850 due to anticipated new reading system that will require a monthly fee for the service on the devices. Clarification was provided that this is not a

radio read system and will still require meter readers to obtain the reading from going up to the reading device each building.

Cybersecurity: new line item to pay for professional cybersecurity detection and prevention for the District's network and cloud-based programs. Line-item request is for \$36,000 under the current contract.

County Retirement Assessment: increase of nearly \$24,000. The District's assessment represents about 0.5% of the total assessment by Barnstable County Retirement.

OPEB Trust Fund: funding request went down because the current year's appropriation is a make-up payment. A new funding schedule will be calculated after the next actuarial report is done.

Water Billing System and Customer Portal: \$55,000 is the annual cost of maintenance and support the District's new cloud-based water billing system and the accompanying fully supported and integrated customer payment portal. The service also provides for paying-by-phone service.

Household Hazardous Waste Collection Day: a small \$500 increase in the cost as bid by Barnstable County for the hazmat service the day of the collection.

Group Health Insurance: cost will likely change once the Cape Cod Municipal Health Group Board of Directors meets in February and votes the actual rates. Currently anticipating a 10% to 15% increase.

Reserve Fund: a requested increase from \$75,000 to \$125,000. Management is recommending an increase due to more uncertainties and their frequency.

Debt Service – Principal on Loans an increase of \$15,033

Debt Service – Interest & Service Fee on Loans a small increase of \$325.

Independent Financial Reporting – a placeholder of \$20,500 has been requested at present. Final number will be determined from the results of the Request for Proposals.

Insurance for Property, Auto, Workers' Comp, Etc: an increase of 4.5% is anticipated.

Water Services: a \$50,000 increase is requested due to rising costs of materials. Nearly all of the materials are billed back to customers.

The Superintendent identified those items, aside from payroll costs, that were seeing significant increases which was resulting in the overall 8% increase in the Operating and Maintenance Budget.

(1:49:11) Capital Appropriations for FY 2026 were reviewed.

Land Acquisition Expenses: \$25,000 so that work can continue on investigating possible land purchases that are on-going and ones in the future as may become of interest.

Cleaning Wells & Pump Repairs: \$200,000. The current balance of \$488,000 is being spent now and about \$200,000 will be spent in anticipated well work. This \$200,000 will be added to any remaining balance for future work in FY 2025.

Power Line Maintenance: \$60,000 to be added to current funds for the replacement of electrical poles that the District owns and are or will be in eminent failure. They are being evaluated and

prioritized for replacement. There was a short discussion regarding the electrical service to the Old Bass River Tank.

Water Distribution Maintenance and Extensions: \$400,000 request for water main replacement work to be done by contractors. There are dozens of roads the Superintendent can identify that need replacement. Two roads he was considering: Fund Pond Road and Mooncusser.

Green Sand Replacement Project: \$1.6 million of borrowed funds to be added to the nearly \$545,000 available. Specifications are being developed to advertise a bid and obtain final numbers in time from the Annual District Meeting.

Technical and Engineering Services: \$100,000 new request mainly anticipated for responding to wastewater system development issues that could impact the drinking water supply. The Superintendent provided a short report on the Town's activities related to siting treated effluent discharge within the Zone IIs. There was further discussion for an unspecified need for professional review of actions taken by the Town regarding wastewater as well as understanding emerging issues of concern.

New Truck with Equipment: \$45,000 to replace one half-ton Chevy pickup with low-70,000 miles on it. The Superintendent reported that he is still awaiting a truck that was appropriated last year. He shared what type of vehicle the truck would be and that the existing truck would be auctioned as has been done in the past.

Mini Excavator: An \$80,000 placeholder has been requested. Mr. Larkowski is investigating a new vendor source that complies with procurement requirements. He anticipates it may be significantly lower.

Miscellaneous Equipment: A request for \$16,100 is being made for replacement of network switches and an installed secure cabinet for that equipment along with some SCADA equipment. Also being requested is some landscape equipment. Mr. Larkowski said he would provide a complete list.

Mr. Larkowski advised that projected borrowing cost scenarios were provided to the Board on the combined \$3.1 million for Green Sand and Land Purchases. A detailed discussion ensued regarding the possibility of bond anticipation notes for a year and then begin the filter replacements. Ms. McMahon suggested that the financial advisor would be brought in to discuss the options with the Board.

(02:21:13) A summation of the Operating and Capital Budgets was reviewed again in terms of the need for additional funding due to a deficit of \$958,000 suggesting that the water rates need to change. Mr. Larkowski suggested that the Board have a work session at the District. The work session would include a demonstration of the Waterworth program and a look at budget projections. It would be posted and open to the public and if someone wanted to, they could come and watch the Board work. Final decisions could be made regarding the budget and votes taken. Ms. McMahon said that she had received a couple of inquiries regarding the District's experience with Waterworth. It seems to be the premier package that people are looking for in terms of not doing the traditional water study for rates. She noted that the program would enable the Board to see other municipal water rates for comparison. February 8 was suggested to be held at the District later in the afternoon. The meeting will include overall budget discussion along with water rates.

Superintendent's Report

Mr. Larkowski reported that the specifications for the filter replacement project [Greensand] in the next few weeks. He was hopeful that the final bid item will be less than projected.

Treasurer's Report

Ms. McMahon reported that there were mechanical equipment for meter reading. She commended office staffers Ms. Spuria and Ms. Costa for their diligence in obtaining actual meter readings from issuing service orders and making repairs. She reported that the billing process is on schedule with building the file on February 5 with a print and mail date of February 12.

Minutes: November 16, December 13 and 28, 2023

(02:32:31) Mr. McDowell said he would like to ask if they would allow me to place into the agenda an item on the next agenda for next meeting. He requested that the following agenda items be 1) call to order and Pledge of Allegiance; 2) public information and that we place in any forthcoming meeting agenda, any subject matter requests by an elected water district commissioner. And then finally 3) that all existing water tissue bylaws shall become voted as enforced by your compliance. He asked when have we had an agenda item that we have agreed to and we haven't? Mr. Chairman, what I like to do is put this into an agenda that is 4 weeks from now and then get into what we discuss at the next meeting. And that is, we water commissioners, for example, we have bylaws, and we haven't tied any of them together as enforcement. We should do that. We can do that. With a four-week advantage of advanced notice we could discuss it whatever we want to do we check it out you go forward with it because I think it makes sense that if any of us want an agenda item with our next meeting, it would make sense that we have the opportunity to do that, which we do not now. Mr. McDowell continued by saying he had cited examples. We discussed in our past meeting of a number of weeks back, in water matters of inserting certain item and we never did. He said he had talked to Bob Perry privately by himself, a gender items that he might have in mind, and he had no interest in any of that. He said that he had then called the Chair about certain items that he thought might be worthy of value as a commissioner. He said he had sent an email of the items that he was now going to touch on; certain matters that we might wish to discuss. Mr. McDowell continued with a discussion about rules under the Attorney General of Massachusetts. However, the item that's Massachusetts law, not the Attorney General. It's different and we've been through this before. He suggested that the similar rules that apply for weekly or monthly meetings and to allow us to put this into our next month's meeting that is in February. And could we do that?

(02:37:38) Ms. McMahon ask the Chair for clarification and ask Mr. McDowell what is he asking for? She stated that currently the Board has already voted to place all commissioner requested subjects into our regular meeting agendas right after public information. She said that this was an edict already voted on unanimously by the Board. She said she did not have discretion about it. It's already been voted by the board. There was additional discussion regarding the inclusion of Board items on the agenda.

(02:39:48) Mr. Perry said that he remembered the vote taken which secured Mr. McDowell's request that a Board requested agenda item be placed just after public information. He further clarified that the process for the agenda always goes through the chair then they go to the draft. They do so, one day before the Friday before the meeting so that there is time for Board members to research it. He wanted to settle this, and it is included in the minutes that we haven't voted on yet. He believed the minutes of November were still outstanding. He said he did not understand what Mr. McDowell was trying to get on the next month's agenda as he thought. He said it is Massachusetts law and that it has been clarified many times; that any elected person may put on an agenda item and consistent with Massachusetts law.

(02:41:55) Mr. McDowell continued his review of the Massachusetts law and the Attorney General's office. Mr. Perry rebutted by stating that the District's attorney had explained this to the Board. He believed the Board had a system and it has been working and he saw no reason to change it. Mr. McDowell explained again that he believed that any Water Commissioner could put any item he wanted on the agenda, and it could not be denied by the Chair. Discussion among the Board members continued for several more minutes.

(02:45:13) Mr. McDowell handed his written request to Mr. Perry who read it aloud. made his request that as a commissioner, more than two full business days prior to a next business day, that all future agendas become modified as follows: that after following agenda items; Call to Order and Pledge of Allegiance and Public Information, place any forthcoming agenda items on any subject matter requested by an elected water commissioner. Mr. Perry said he was unclear and said that the syntax he was reading was not in a manner that he understood what it was doing. Mr. Perry continued to read from the prepared motion: and all existing Water District bylaws should become voted as enforced as your compliance. He suggested that Mr. McDowell submit it through the Chair and have it put on the agenda. I have no objection to that.

(02:46:59) Ms. McMahon said that she had provided the Board with a revised draft of the November 16 meeting as of December 22. Copies had been provided via email and in the packet. She further noted that the open session portion of the December 13 meeting and the meeting of December 28 were also printed and provided in the Board's packet. She further advised that the Open Meeting Law requires the Board to accept minutes as soon as possible, at their next meeting if possible. On a motion made by Robert M. Perry and duly seconded, the Board **VOTED 2-0-1 (PLM abstaining): to accept the minutes of December 13, 2023.**

(02:48:55) Mr. McDowell moved that the consideration of the minutes of November 16 and that is the revised draft stamped revised December 22, 2023. Ms. McMahon asked if Mr. McDowell's motion was to accept those minutes. Mr. McDowell said he did not as his particular focus was on page 3 of 6.

He read the time mark of 1 hour, 2 minutes and 29 seconds where it states Mr. McDowell had requested an additional item. So, he was suggesting that we consider everything from that point on down for the balance of the meeting. He read; *"That Ms. McMahon said that it was in reference"*, and this is the second time that he had asked for this law to be published of comparing all of the benefits and compensation that comes to any of us commissioners and the employees. He said that there was a state law dealing with that. He said there is an issue that invalidates what we've got here, and he was going to talk about that. He continued to read; *"Mrs. McMahon has said that this was in reference to a written request by Mr. McDowell for a report on all compensation and benefits received by employees and commissioners."* *"Mrs. McMahon had distributed the report for two physical years requested."* *"The reports included all employees and elected officials and their benefits. Now, "she said that the cost of the district of an employee's future retirement benefit is not individually noble."* He said he could not find it in the minutes. He asked the Chair to read it and see if he could find it because he could not. Mr. McDowell read further; *"She said this was not a push-button process to identify benefits. It was labor intensive to be done."* Continuing the reading: *"Mrs. McMahon said she was no longer interested in pursuing the Board adopting a policy so long as consequences not required or imposed by regular duties. She did not mind doing them. The fact is what was noted in the minutes that "all future" was not in the minutes. He said he could not find it. If so, she's got to provide it the required by law.*

02:52:35) Mr. Perry said he believed that these are a fairly good and accurate rendition of the minutes. He said he had looked at the tape and although he knew that it's never quite possible to get everybody word for word, but this is pretty much what Ms. McMahon explained to us. In relation to what Mr. McDowell had requested, and it was a discussion about the amount of work effort that it took for these specific requests, she ultimately concluded that there wasn't a big problem with that. But we're talking about these minutes. Which he was not sure that he had any issue with, and he said he was not about to second a motion that's going to reconsider these minutes. Mr. McDowell said he was not reading what we talk about here. When she said that the district of an employee's future retirement benefit is not individually knowable. He said it is not in there and not on the tape. He said if they didn't care about it, then they didn't care about the law.. Discussion continued about the minutes. Ms. McMahon reminded the Board members that these are their minutes, and they can edit them however they deem appropriate.

(02:56:41). In deference to Mr. McDowell's complaint about the minutes, Mr. Perry said he was fine waiting another month. It was noted by Mr. Perry and Ms. McMahon that the recorded video now included closed caption. It was uncertain if this text would be available for transcription. On a motion was made by Robert M. Perry and duly seconded, the Board ***UNANIMOUSLY VOTED: to table the minutes of November 16 until the next meeting.*** Mr. Perry moved to accept the minutes of December 28, 2023, as written with the exception of typos. There was no second, therefore the minutes were deferred to the next meeting.

(03:03:01) ***Mr. Perry moved that the board conduct an executive session in accordance with the Mass. General Law Chapter 39, Section 23 B, Item 6; to consider the purchase exchange taking lease or value of two parcels real properties and to add Item 2) to conduct strategy and preparation for negotiations with non-union personnel as the chair has declared that an open meeting may have a detrimental and not to return to open session. Mr. McDowell seconded the motion. The roll call vote was as follows:***

Paul F. Prue “yes”

Robert M. Perry “aye”

Peter L. McDowell “yes”

Respectfully submitted,

Sheryl A McMahon, Clerk