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TOWN CLERK'S OFFICE
LEICESTER, MASS

COMMONWEALTH OF MASSACHUSETTS
CHERRY VALLEY AND ROCHDALE WATER DISTRICT WARRANT
ANNUAL DISTRICT MEETING

To: Cheryl Balkus, District Clerk
Cherry Valley and Rochdale Water District

Greetings:

You are hereby directed to notify the VOTERS of the Cherry Valley and Rochdale Water District to meet in the Town Hall Auditorium, 3 Washburn Square, Leicester, Massachusetts twentieth day of May, two thousand and twenty-one (May 20, 2021) at seven-thirty P.M. (7:30 P.M.), then and there to act on the following articles:

ONE: MODERATOR

To elect a Moderator to preside at said meeting and for a period of one (1) year thereafter.

PROPOSED MOTION:

I move that the Clerk of the District declare that the polls are open to cast ballots for the election of moderator for a term of one (1) Year.

DESCRIPTION:

This article is an annual procedural article as the Moderator is the individual that will preside over tonight's meeting as well as the beginning of the 2022 Annual Meeting at which time the process is repeated. Additionally, the candidates have met the District By-law requirement of which "Candidates for office must notify the clerk of the district in writing at least three (3) days (72 hours) prior to the meeting date before seeking an office for the Cherry Valley and Rochdale Water District".

TWO: REPORTS

To act on the reports of the District.

PROPOSED MOTION:

I move that the District accept the **printed reports** of the Commissioners on pages **4, 5, 6 and 7** and the District Treasurer on pages **14, 15 and 16** as set forth in the 111th Annual Report.

DESCRIPTION

The printed report of the Commissioners provides the District members with an annual update of the District's activities during fiscal year 2021 and the report of the District Treasurer provides the District members with an update of the District's audited activity during fiscal year ending 2019 and 2020, respectively.

THREE: COMMISSIONER

To elect the following officer by ballot:

A resident from the Greenville service area to hold the office of District Commissioner for a period of three (3) years.

PROPOSED MOTION:

I move that the Clerk of the District declare that the polls are open to cast ballots for the election of Commissioner representing the Greenville service area for a term of three (3) Years.

DESCRIPTION:

The Board of Water Commissioners has three members each serving a three year term. One Commissioner is elected representing the Greenville service area, the Rochdale Service area and the Cherry Valley service area. Each Commissioner must reside within his/her representative service area. The District By-laws require Candidates for the Office of Commissioner must notify the Clerk in writing at least three days (72 hours) prior to the meeting date.

The winner of the election will take effect when annual meeting closed. Absent any directive in bylaw or enabling act.

FOUR: BUDGET

To see if the District will vote to raise and appropriate, transfer from available funds or free cash, or otherwise provide a sum of money, or any other sum, from any available funding source or other available means, for the operating budget for fiscal year 2022, to provide for the District's annual operating requirements, including but not limited to, salaries, related services, office expenses, maintenance, construction and any other items related thereto; to execute any instruments or documents necessary or appropriate to accomplish said purposes; or take any action in relation thereto.

PROPOSED MOTION:

I move that the District vote to appropriate from available funds (water revenue) the sum of **ONE MILLION THREE HUNDRED THIRTY ONE THOUSAND TWO HUNDRED EIGHTY DOLLARS AND NINETY CENTS (\$1,331,280.90)** for the operating budget for fiscal year 2022, as set forth on page 13 of the 111TH Annual Report, to provide for the District's annual operating requirements, including but not limited to, salaries, related services, office expenses, maintenance, construction and any other items related thereto; to execute any instruments or documents necessary or appropriate to accomplish said purposes.

DESCRIPTION:

This article funds the fiscal year 2022 operating budget, which includes funding all operations of the District, debt service payments and the purchasing of water from the City of Worcester.

FIVE: REVOLVING FUND FOR CONSTRUCTION

To see if the District will vote to authorize the Board of Water Commissioners to establish a fund to receive and deposit fees paid pursuant to Chapter 105 of the Acts of 1996, and, from which expenditures may be made by the Board of Water Commissioners for legal services, administrative services and engineering services (including but not limited to, design, plan review, and inspection of the project being constructed) in connection with any water system design, review, and construction, or to take any action thereon.

PROPOSED MOTION:

I move that the District vote to authorize the Board of Water Commissioners to **establish a fund to receive and deposit fees** paid pursuant to Chapter 105 of the Acts of 1996, and, from which expenditures may be made, by the Board of Water Commissioners for legal services, administrative services and engineering services (including but not limited to, design, plan review, and inspection of the project(s) being constructed) in connection with any water system design, review, and construction.

DESCRIPTION:

This is a non-money article. This is a house keeping article.

This article establishes a "revolving account for review of new construction projects within the service area of the district". It provides the means for the District to collect funds from the proposer of the new construction project to pay costs including but not limited to, design, plan review, and inspection of the project being constructed and associated with new construction projects with no impact to the FY22 operating budget and no expense to the district rate payers.

For Example, if a new development came into the district our engineer has to review the plans to make sure it will allow us to supply water to the new development. This warrant article allows us to collect the fees from the new development in order to pay our engineering fees so the cost is not absorbed by the district subscribers.

This is a non-money article. This is a house keeping article.

SIX: REVOLVING ACCOUNT FOR METERS

To see if the District will vote to authorize the Board of Water Commissioners to establish a fund to receive and deposit fees paid pursuant to Chapter 105 of the Acts Of 1996, and, from which expenditures may be made by the Board of Water Commissioners for the purchase and installation of water meters or take any action thereon.

PROPOSED MOTION:

I move that the District vote to authorize the Board of Water Commissioners to **establish a fund to receive and deposit fees** paid pursuant to Chapter 105 of the Acts of 1996, and, from which expenditures may be made, by the Board of Water Commissioners for the purchase and installation of water meters.

DESCRIPTION:

This article establishes a "revolving account for water meters". It provides the means for the District to collect funds to pay costs as outlined in the motion and associated with new construction projects with no impact to the FY22 operating budget.

For example, this allows us to charge new construction for the cost of a meter so it does not affect the operating budget.

This is a non-money article. This is a house keeping article.

SEVEN: REVOLVING ACCOUNT FOR TERMINATION EXPENDITURES

To see if the District will vote to authorize the Board of Water Commissioners to establish a fund to receive and deposit fees paid pursuant to Chapter 105 of the Acts of 1996, and, from which expenditures may be made by the Board of Water Commissioners for the purchase and rental of supplies and equipment associated with the District's Service Termination Process, including but not limited to construction and excavation equipment rental, police details, backfill materials such as processed gravel and sand, asphalt, pipe, fittings and appurtenances or take any action thereon.

PROPOSED MOTION:

I move that the District vote to authorize the Board of Water Commissioners to establish a fund to receive and deposit fees pursuant to Chapter 105 of the Acts of 1996, and, from which expenditures may be made, by the Board of Water Commissioners for the purchase and rental of supplies and equipment associated with the District's Service Termination Process, including but not limited to, construction and excavation equipment rental, police details, backfill materials such as processed gravel and sand, asphalt, pipe, fittings and appurtenances.

DESCRIPTION:

The Board of Water Commissioners are responsible for the financial stability of the district and unfortunately have to implement the termination process in the collection of unpaid water bills. The District would rather work with Individuals in establishing a payment plan to address outstanding water bills. Termination is implemented as the last resort in the collection process.

This article establishes a "revolving account for termination". It provides the means for the District to collect funds to pay costs as outlined in the motion and associated with district's termination program with no impact to the FY22 operating budget.

Example: If the District is required to incur costs in connection with terminating a customer's service such as having to dig in the street to turn off the water service, this allows the District to do the work and charge the customer for all the costs relating to the termination rather than having to take the money out of the budget.

EIGHT: AMENDMENT OF CLEARWELL ARTICLE

To see if the District vote to amend its approval of Article IX of the Annual Warrant at the Annual Meeting held on June 11, 2020, by which the District voted to transfer from available funds or free cash the sum of THREE HUNDRED AND FIFTY-FIVE THOUSAND DOLLARS (\$355,000.00) to enable the District to pay the costs associated converting the Clear Well to a holding/ distribution tank, to enable the District to pay all costs associated with a revised design which will activate the grindstone well and alleviate pressure drops in the system when the booster pump is running, including the costs of engineering services, legal services, and construction services, or to take any action thereon.

PROPOSED MOTION:

I Move that the District vote to amend its approval of Article IX of the Annual Warrant at the Annual Meeting held on June 11, 2020, by which the District voted to transfer from available funds or free cash the sum of THREE HUNDRED AND FIFTY-FIVE THOUSAND DOLLARS (\$355,000.00) to enable the District to pay the costs associated converting the Clear Well to a holding/ distribution tank, to enable the District to pay all costs associated with a revised design which will activate the grindstone well and alleviate pressure drops in the system when the booster pump is running, including the costs of engineering services, legal services, and construction services, or to take any action thereon.

DESCRIPTION:

The purpose of this article is amend last year's article VIII for the Clear well to be placed back into operation to serve

as a holding tank and allow for the activation of the Grindstone well as well as alleviate pressure issues caused by the operations of the booster pump. The change in design will abandoned the use of the Clearwell and a revised design that will be utilized to allow Grindstone well to go into operation as well as alleviate the pressure deficiencies experienced during the Booster pump operations. This project is already underway and in order to continue last year's article needs to be amended to reallocate the funds for the new design.

NINE: CHANGE TO ENABLING ACT

To see if the District will vote to authorize the Board of Commissioner's to revise the proposed amendment to the District's enabling act which proposed amendment was approved by the District as Article One of Warrant for the Special District Meeting held on November 19, 2019, to address issues raised by legal counsel to the House of Representatives for the Commonwealth of Massachusetts, at the sole cost of the District, or to take any action thereon.

PROPOSED MOTION:

I move that the District vote to transfer from available fund or free cash the sum of THREE THOUSAND DOLLARS (\$3,000.00) to enable the Board of Commissioner's to revise the proposed amendment to the District's enabling acts which proposed amendment was approved by the District as Article One of Warrant for the Special District Meeting held on November 19, 2019, to address issues raised by legal counsel to the House of Representatives for the Commonwealth of Massachusetts, at the sole cost of the District, or to take any action thereon.

DESCRIPTION:

The purpose of this article is to see if the District members wish to bear the additional legal expense for legal counsel rewrite the proposed enabling act amendment that the ratepayers voted for at the Special District Meeting in November of 2019. Since the Special District Meeting, the proposed enabling act amendment was submitted to the Massachusetts House of Representatives and has since been returned to the District noting legal issues that were potentially found in the language of the article. These legal issues must be addressed before the House will consider the proposed amendment, and, in order to do so, the District must rewrite and resubmit the Article. The commissioners felt that this article was the District Members article and they should decide whether the District should continue to pursue and authorize the additional expense the proposed amendment. Currently the District is looking at spending no more than \$3,000 for the Districts Attorney to make corrected adjustments to the article. Upon completion of the article, the District will have to host a special district meeting for the voters to vote in favor of the new article going forward to the State House for approval.

TEN: LEASE PURCHASE VEHICLE

To see if the District will vote to authorize the Board of Commissioners, in accordance with Chapter 44, Section 21C of the Massachusetts General Laws, to enter into a lease purchase financing agreement to acquire a new Ford F-550 Dump Truck, which lease purchase agreement may be financed by the issuance of debt under Chapter 44, for a term of five years, and to appropriate the first year payment from free cash with the remaining four yearly payments to be raised and appropriated as part of the District's annual budget, or take any action thereon.

PROPOSED MOTION:

I move that the District vote to authorize the Board of Commissioners, in accordance with Chapter 44, Section 21C of the Massachusetts General Laws, to enter into a lease purchase financing agreement to acquire a new Ford F-550 Dump Truck, which lease purchase agreement may be financed by the issuance of debt under Chapter 44, for a term of five years, and to appropriate the first year payment of TWELVE THOUSAND SEVEN HUNDRED FORTY DOLLARS AND TWENTY ONE CENTS (\$12,740.21) from free cash with the remaining four yearly payments to be raised and appropriated as part of the District's annual budget, or take any action thereon.

DESCRIPTION:

The District is looking to purchase through a Lease Purchase agreement a new Ford F550 Dump Truck. In purchasing the Truck, the District will be trading in a 2012 Ford F150 to help reduce the overall cost of the vehicle. The overall vehicle price is \$58,349.98; with the lease, purchase agreement the annual cost for the district is \$12,740.21 for 5 years. With approval of this article, the District is agreeing to pay the first year payment from free cash and the remaining 4-year payments will come from the Districts operation budget

You are hereby directed to serve this WARRANT by posting an attested copy at the Leicester Fire Department, Company No. 2, 226 Main Street, Cherry Valley, MA; Rochdale Post Office, 1138 Stafford Street, Rochdale, MA; at the Church Building, 672 Pleasant Street, Rochdale, MA; at the Leicester Town Hall and the Oxford Town Hall seven (7) days at least before said

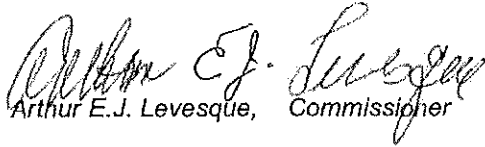
meeting.

Given under our hands, this 20th day of April, in the year of Our Lord, two thousand nineteen (April 20, 2021).

Respectfully submitted,



Kevin M. Bergin, Chairman



Arthur E.J. Levesque, Commissioner



Robert H. Lemieux, Sr. Commissioner

A TRUE COPY, ATTEST:



Cheryl Balkus, District Clerk

(SEAL)

"This institution is an equal opportunity provider, and employer."

