

Board of Water Commissioners  
Meeting Minutes  
Acton Water District  
693 Massachusetts Avenue, Acton, MA  
Monday, February 8, 2021

**AGENDA**

- A. Comments from Citizens
- B. Approve Minutes from Meeting of 1/25/2021
- C. Appoint One Commissioner to Approve Warrants While Conducting Meetings Virtually

**D. OLD BUSINESS:**

- 1. Update on Per- and Poly-Fluoroalkyl Substances (PFAS)
- 2. Update on proposed solar projects
- 3. DRAFT Budget for Fiscal Year 2022 (FY '22)

**E. NEW BUSINESS:**

- 1. Review and approve Reserve Fund transfer requests:
  - 65,000 to Acct # 15290- Maintenance & Operations for GAC media exchange
  - \$20,000 to Acct # 15270- Legal for Special Environmental Counsel
- 2. Review and discussion of Annual Report for Calendar Year 2020

**Present at Tonight's Meeting:**

Commissioners: Erika Amir-Lin (Chair), Stephen Stuntz, Barry Rosen  
District Manager: Chris Allen  
District Treasurer: Mary Jo Bates  
District Counsel: Mary Bassett  
Environmental Manager: Matthew Mostoller  
Commissioners Secretary: Lynn Protasowicki  
Finance Committee: Bill Guthlein

**Citizens:**

Kim Kastens  
Ron Parenti  
Jim Snyder-Grant

Due to the Covid-19 stay-at-home order by Governor Charles Baker, the Board of Water Commissioners meeting was not held at the Acton Water District Office, instead the meeting was held via Zoom Webinar. The meeting was called to order at 7:00 PM on Monday, February 8, 2021 by Ms. Erika Amir-Lin.

**A. Comments from Citizens**

Kim Kastens was wondering how the permitting is going for the bedrock well. Was there anything interesting or controversial that came up during the site walk? Mr. Mostoller stated that we applied to do the long duration pumping test. We are waiting for an approval letter from MassDEP. Once in place we can begin the long duration pumping test. Mr. Allen and Ms. Amir-Lin also agreed that there was nothing out of the ordinary that hadn't already been discussed and that there were no items of concern. Kim Kastens: How long is the long duration pump test? Mr. Mostoller stated that we are starting out on 10 days on one well and allow it to recover and then 10 days on the other well and then let it rest.

Ron Parenti: just heard this evening about a computer hack into a water supply in Florida. As a Commissioner we had spoken about this a couple years ago as a hypothetical problem. And now this is proof this can happen. With all the automated treatment plants at the District which are internet connected it is a potential problem. He stated that the hack was that someone increased the sodium hydroxide by hundred. It ran that way until operator was able to reverse the process. This is an issue with any internet connected system. Mr. Allen stated that we received an update today from Mass Water Works Association about this hack. Our Scada system is not public facing and is only accessible from an encrypted VPN tunnel connection. There is no direct connection to the internet. Ron: is that standard practice? Mr. Allen stated that we did it intentionally. We separated the system control and administrative networks to have no connection to reduce vulnerability.

Jim Snyder-Grant, who is the Acton Selectboard liaison, wanted to acknowledge that Barry Rosen, now District liaison to the Selectboard, came to our last Board meeting and it was great to have him there and present.

#### **B. Approve Minutes from Meeting of 1/25/2021**

Mr. Stuntz moved to approve the minutes of January 25, 2021. Mr. Rosen seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, and Ms. Amir-Lin.

#### **C. Appoint One Commissioner to Approve Warrants While Conducting Meetings Virtually**

Mr. Stuntz moved to appoint Ms. Amir-Lin as the Commissioner to approve warrants while conducting meetings virtually. Mr. Rosen seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, and Ms. Amir-Lin

#### **D. OLD BUSINESS:**

##### *1. Update on Per- and Poly-Fluoroalkyl Substances (PFAS).*

Mr. Mostoller provided the update. We have results from Assabet 3 well: we have applied for grant funds to bring this well into the South Acton Water Treatment Plant (SAWTP). We did an 8-hour pumping test on Assabet #3 where we were looking to get updated water quality data. PFAS levels at 3.1 parts per trillion (PPT) which is the lowest concentration well of any well here in Acton – this is good news. Back in April, it was at 3.5 PPT so not only low and but also stable. The monthly system compliance testing which began in January 2021, we have half of our samples back including the SAWTP which came back at 19.7 PPT and Clapp Whitcomb came back as non-detect and has been taken offline to replace the Activated Carbon media. We did take sample halfway through that treatment process and were we seeing 10 PPT after first carbon vessel so, replacement of the Carbon is necessary . We are still awaiting results for Conant I and North Acton Water Treatment Plant (NAWTP). Our hope is that we will be able to utilize North Acton under a modified pumping scheme and those samples will be collected the end of this week to confirm as viable solution for the short term.

Mr. Rosen asked about the carbon we use. He stated that Hans Keiler, manager from Hyannis, experimented with two types of Granular Activated Carbon (GAC), coconut and coal-based carbon filters because the PFAS was out of control in that town. He found that coal did a better job and was able to get his detect levels down to zero. Have we ever done that? Mr. Mostoller stated that no we have not, but our provider Calgon Carbon certainly has experience using both. He has attended multiple technical sessions that they have held and for the most part it comes down to the particular water quality parameters and what works better. Historically we have only used the coal based carbon.

Ron Parenti inquired as to how the remediation experiments were going and also how likely the water bans will be lifted in the coming year. Mr. Allen stated that it depends on how NAWTP can be used as a source again. Conant II is unavailable due to the new plant construction. Over time we need to determine what the PFAS impacts are on our different sources and degree of capacity we can provide which dictates

the necessity of an escalation in the summer outdoor water use program. He hesitates to answer now but assumes something more stringent in coming months. Mr. Mostoller stated that maybe a two-day outdoor use program and part of that is going to fit into our renewal of the water management act permit where we'll, most likely, be required to adopt a two-day outdoor water use program by regulation.

Ron Parenti asked: Which wells are the most impacted relative to PFAS right now? Mr. Mostoller stated that in the spring NAWTP was the most impacted; we have sampled through summer and fall we have seen the concentrations go down in NAWTP and seen them go up in the Acton Center wells. Conant II offline and that leaves South Acton, Conant I and Clapp Whitcomb currently available.

Mr. Mostoller stated that we are getting ready to do our February samples next week and should see results around March 1<sup>st</sup>. Every 2-3 weeks have new data to share. Working through our we will update the public relative to the website. Looking for a cleaner way to provide that data and send out using our email list.

## *2. Update on Proposed Solar Projects.*

Mr. Allen provided an update on the meeting that happened on Friday January 29<sup>th</sup> with Town Counsel, the Acton Town Manager, John Mangiaratti, Mr. Allen, and Jim Snyder-Grant talking about the municipal water rate and the in kind benefit that provides to the Town of Acton. Initially, Mr. Allen had given them a years' worth of data which was in a Covid impacted timeframe (July 2019 to April 2020) so there was some time when schools and town offices were closed during this time so not an accurate snapshot in a year. Bob Murch provided a 5-year report and the average savings was \$11K higher than what we saw in the one-year snapshot. During the course of that discussion he spoke with Peter Bay of EDF and they have said that if that does come down that EDF will pay for entire Payment in Lieu of Taxes (PILOT) without any cost sharing. Minimum of \$31K deducted from taxes for PILOT. Currently, the PILOT is \$99K per year; \$42K is the average cost savings realized by the Town and Regional School District from the Municipal water rate. He has not heard any updates since the meeting.

Mr. Rosen asked if we explained to the Town that we also provide the billing data for the sewage treatment plant. Mr. Allen stated that yes, the Treasurer wrote up a summary of how we maintain the database and how we provided those numbers for them for their billing purposes. We did a comparison for them like Nagog Woods.

Mr. Rosen stated that it seems like the town should have more than sufficient information to provide a reduction in the PILOT. We are helping each other. The town should have enough data to move forward with DOR. Mr. Allen stated that they are trying to establish a model that will work for the future.

Kim Kastens: in preparing for WR Grace conversation regarding the re-use of Grace's land, we learned more about solar energy installations. We learned that some installations use vegetation plants beneath the panels that provides ecosystem services: either carbon sequestration through deep routed perennial grasses or a pollinator habitat. What kind of vegetation did the District specify under the solar panels? Mr. Allen stated that nothing specific was specified it will be whatever grows naturally. He noted no herbicides will be used for vegetation control, only mechanical means.

Jim Snyder-Grant: reinforced Barry's comments that the meeting was a positive one and that all recognized that any extra expenses imposed upon the District really ends up in the hands of the Acton resident so no motivation to keep the pilot high (no extra expense).

Mr. Rosen mentioned that there is a Planning Board hearing on February 16<sup>th</sup> at 7:35 PM with two agenda items: 22 Elm Street (proposed PCRC) and 50 Independence Road (proposed PV Array). He knows that Chris has submitted the District's concerns to the Planning Board. He suggests that we have one Water

District representative at the meeting with a slide with the key bullets as our concerns may not be heard. Barry would like a Water District staff person to be present to explain our concerns.

Ms. Amir-Lin clarified that the 50 Independence Road is not a District project that is the proposed WR Grace reuse solar array.

Jim Snyder-Grant: to avoid a visit to the Planning Board, the Planning Dept will put a draft decision in to the packets a few days before the meeting which should include the Districts comments so you should be confident it will be heard and understood. And that the BOH does have staff comments and because there will be batteries on site there will be a separate BOH hazardous materials hearing after the planning board hearing which would be another option to add a condition about PFAS.

Ron Parenti: does recall the comment from WR Grace Representative that he knew no evidence that panels with PFAS would lead to any problem with contamination of the water supply. He wanted to ask Barry if he was aware of any studies that would indicate whether PFAS on the panels would introduce a problem. Barry said good question that there are studies that PFAS does leech but no studies that prove either way that PFAS leeching off solar panels either helps or hurts a water supply. That is a false premise that because there is no study that proves that they don't hurt the water supply, there is no study that proves that they are good for the water supply, there is no study that shows that they doing anything to water supply. There is proof that over time that the panels age that those that contain PFAS on the panel surfaces leech quantities of PFAS when it rains. There are fewer manufacturers using PFAS as a surface coating to make them slippery to liquids.

The Water District is required to have PFAS free collectors because we are operating within Zone 1 and 2. The proposed solar array by WR Grace is not in our Zone 1 or 2, however given the proximity of the proposed solar array field to our Zone 1 and 2 it would be prudent for them to have PFAS free collectors.

Barry will attend and would like to discuss the bullets with Matt to be certain he has a good understanding.

### *3. DRAFT Budget for Fiscal Year 2022 (FY '22).*

Mr. Allen mentioned that there was one revision from the last version at January 25<sup>th</sup> meeting is that Mary Jo Bates did confirm that the loan with Trust will not enter permanent financing until October 2021 which is what we anticipated originally. That is a \$650K deduction in the Long-Term Debt line item.

Mr. Stuntz moved to accept the draft budget for Fiscal Year 2022. Mr. Rosen seconded the motion and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, and Ms. Amir-Lin

Kim Kastens: when will the WR Grace fund run out with its current use of draw? Mary Jo Bates stated, over the course of its existence, the Grace fund has had no principle pulled out of it just interest and growth.

### Other Old Business:

Mr. Allen stated that the site walk at 104 Powdermill Road Rear with Baldco was postponed due to weather and is rescheduled to this Thursday, Feb 11<sup>th</sup>.

## **E. NEW BUSINESS:**

### *1. Review and Approve Reserve Fund Transfer Requests*

Enclosed in tonight's packet to the Commissioners is a letter to the Finance Committee from Mr. Allen requesting their approval of the following two transfers from funds from the Reserve Fund to the current FY 21 operating budget.

- \$65,000 to Acct # 15290- Maintenance & Operations for GAC media exchange

Mr. Rosen moved to approve the transfer of \$65,000 to Acct # 15290- Maintenance & Operations for GAC media exchange. Mr. Stuntz seconded the motion and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, Ms. Amir-Lin

- \$20,000 to Acct # 15270- Legal for Special Environmental Counsel

Mr. Rosen moved to approve the transfer of \$20,000 to Acct # 15270- Legal for Special Environmental Counsel. Mr. Stuntz seconded the motion and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, Ms. Amir-Lin

## *2. Review and Discussion of Annual Report for Calendar Year 2020*

Mr. Rosen stated that the former Commissioners made it clear and viewed it as a positive that they separated out the fixed portion of the budget which is the debt of the District to show to customers what our debt is. They made it transparent to the public by showing them our debt fee structure. The current Commissioners would still like to continue with this debt fee structure which is still in line with the former Commissioners. He would like the annual report to convey that message.

Bill Guthlein: we are all in agreement that we would like to make it very visible to rate payers of what they are paying for debt service. Where we disagree (the Finance Committee and the Commissioners) is in how we charge our customers for the debt. The Finance Committee believes it's appropriate for us to comment on this topic in our annual report. The report discusses our recent consensus that debt service should be recovered based on water volume purchases instead of the current method which is a fixed charge per customer.

Ms. Amir-Lin: The Finance Committee is not coming here to disagree with the Commissioners and to say that we think that you are making incredibly poor decisions. There are two legitimate approaches here and it's not the disagreement that is the issue.

Mr. Rosen stated that his opinion is that he just wants to make sure that what goes out in the annual report is that the public sees a Water District that feels we are under control and we may be considering alternatives but there is no dissent within the District.

Ms. Amir-Lin stated that he had strong thoughts on this and it was good that it was discussed here tonight. She is ok with a variety of opinions on this annual report. She is good with the most recent draft of the letter.

Mr. Stuntz stated that we have never approved the Finance Committee's report. They have all just been written. We don't vote to accept them. They just get put into the report. Mr. Allen stated they just get voted on at the Annual District meeting.

*Mr. Stuntz motioned to adjourn the open meeting at 8:32 PM. Mr. Rosen seconded the motion and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, Ms. Amir-Lin*