

Board of Water Commissioners
Meeting Minutes
Acton Water District
693 Massachusetts Avenue, Acton, MA
Monday, April 24, 2023

AGENDA

A. Comments from the public

B. Approve minutes from the meeting of 4/10

C. Appoint one Commissioner to sign warrants while conducting meetings virtually

D. OLD BUSINESS:

1. Knox Trail Solar Project
 - PPA Revision
 - Project Update
2. Per- and Polyfluoroalkyl Substances (PFAS)
 - Current sample data, if available
 - Bottled Water Rebate Update
 - North Acton PFAS Upgrade
3. Review of Town of Acton Discount Programs
4. Update on 549 Main Street Acquisition
5. Ground Water Protection District Amendments
6. April 22 Open House

E. NEW BUSINESS:

1. May 11th Drinking Water Awards and Legislative Briefing

Any agenda item(s) which did not come to the attention of the Water Commissioners 48 hours prior to this meeting and were not reasonably anticipated.

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 and was recorded. The meeting was called to order at 7:01 PM on Monday, April 24, 2023, by Mr. Stephen Stuntz.

Present at Tonight's Meeting:

Commissioners: Erika Amir-Lin, Barry Rosen, Stephen Stuntz (Chair)

District Manager: Matthew Mostoller

District Treasurer: Christine McCarthy

District Counsel: Mary Bassett

Finance Committee: Ron Parenti

Commissioners Secretary: Lynn Protasowicki

Public Present: Kim Kastens, Chris Allen, Joe Robb, Jacob Reichert

A. Comments from the Public.

Kim Kastens: wanted to comment about the 4/10 minutes but was not called on until after the initial vote to accept the minutes. It was not Janet Adachi but Marion Maxwell's newsletter for seniors.

B. Approve Minutes from the meeting of 4/10.

Mr. Rosen moved to approve the meeting minutes of 4/10/2023. Ms. Amir-Lin seconded, and it was unanimously approved by a roll call vote: Mr. Rosen, Ms. Amir-Lin, and Mr. Stuntz.

Ms. Amir-Lin moved to approve the amended meeting minutes of 4/10/2023 from the comments from Kim Kastens. Mr. Rosen seconded, and it was unanimously approved by a roll call vote: Mr. Rosen, Mr. Stuntz, and Ms. Amir-Lin.

C. Appoint One Commissioner to Sign Warrants While Conducting Meetings Virtually.

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

D. OLD BUSINESS:

1. Knox Trail Solar Project

- PPA Revision
- Project Update

Matt provided an update on the request from Standard Solar who will own the array. They reached out about an hour ago and they are no longer seeking a change to the power purchase agreement duration. Originally, we negotiated a 25-year power purchase agreement with EDF and when EDF sold the array to Standard Solar, it was emphasized it was a 25-year power purchase agreement. It will remain at 25-years so there is no need for a PPA revision.

They are continuing to make progress but still waiting on Eversource for their final check through. SSI has put together a press release which means we are getting closer to completion.

2. Per- and Polyfluoroalkyl Substances (PFAS)

- Current sample data, if available
- Bottled Water Rebate Update
- North Acton PFAS Upgrade

Current sample data:

Matt provided an update. We have the final March result for the North Acton Plant collected on March 21st and it was at 16.7 PPT. For the first quarter of 2023, all three operating plants were all in compliance with Mass DEP drinking water regulation. Clapp Whitcomb continues to not be utilized. Currently operating are the North Acton and South Acton plants. We do not have any April results.

Kim Kastens: congratulations on having no PFAS violation for the first quarter. She is wondering if the new EPA standards were in place, of 4 PPT for PFOA and PFOS, would those have been in exceedance? Matt: that would be difficult to say. North Acton might still have been in compliance.

Bottled Water Rebate Update:

For March, we had 153 rebate issues totaling \$6,465 (18 of those were for tenants and received a check directly and that totaled \$705). That program's participation continues to increase as we continue to send out notices.

North Acton PFAS Upgrade:

The project continues to make slow progress. We will meet with the electrical subcontractor to make sure that this subcontractor understands how vital their role is in the project. After that meeting we will get a timeline for their work and for their supplies, we will have a better idea of the overall project timeline.

3. Review of Town of Acton Discount Programs

Stephen mentioned that Acton has advertised the program which provides direct assistance to pay back old bills. That would be a direct payment to us from the Southern Middlesex Opportunity Council, who administers the program in this area. Do we have anyone who is seriously overdue that falls in that category? Christine stated that there is nobody in the portal for this program. They are reviewing applications on an ongoing basis. They haven't updated the portal so she is not sure if we will have anyone. This program requires no administration on the part of the District.

Christine mentioned that she met with Marty Abbott from the Assessor's office on April 4th. The Town of Acton's FY 23 chart of Statutory Exemptions included in the meeting packet summarizes the programs of available abatements. This list gives a good presentation of what the maximum income and assets can be and what the minimum and maximum exemptions for each program are. The three biggest programs that people receive abatements for are legally blind, general hardship, and veterans. For fiscal 2023, hardship was 100% abatements for the taxes, for the legally blind 6 received full amount and one received \$500, and for veterans there are 63 of those. Marty goes to the Senior Center in the fall and presents to the seniors. Christine likes this idea and would like to consider doing this as an outreach activity. Matt mentioned that we have historically gone to this event at the Senior Center but it lapsed since COVID. You have to be a homeowner to receive an abatement.

Steve: Are we doing what we should be doing? We currently give whatever the Town gives as a percentage to the elderly.

Erika: Maybe we want to match some of these programs where there might be the most impact. Christine ran some numbers, and she calculated what an average water bill was for April and most of our residents fall within the lowest two tiers, which is how she figured out the average water bill. The average bill is \$126.62. If we were to give the 79 hardship abatements that is over \$10K just for the first quarter.

Erika: We should continue to digest the information that Christine provided.

Matt: There is one additional factor for the Board to consider. If we adopt expansion of our assistance programs, one thing to consider is to not just look at asset limits and income limits but to put a conservation requirement in place. To qualify you would need to get a home water audit done. Some of these folks may be getting artificially high bills because they can't afford to make basic repairs or more efficient water using devices. We don't want to pay for a bill if we can help improve their situation which would then help lower their overall water bill.

Matt: We'll continue to look at some of the categories and how best to target them.

4. Update on 549 Main Street Acquisition

Matt stated that we continue to make progress on the acquisition. We held a hearing today that nobody attended which we take as no opposition to the District's acquisition. This was noticed as a public hearing and abutters were notified of it. This evening at the Selectboard meeting the Acton Conservation Trust is contributing \$10K towards the purchase of the conservation restriction to show support within the community. It's more of a symbolic gesture but every penny helps. The Conservation Commission is reviewing the draft conservation restriction and they have to sign off on the conservation restriction before it can be recorded. We are working towards a Municipal Vulnerability grant and one of the steps is to get a letter of support from Town of Acton because without it we are not eligible to apply. The Grant application is due at 2PM on May 4th. We have a final walk of the property on Wednesday afternoon in advance of the town meeting vote.

Joe Robb: I know that you are aware of the environmental conditions at the adjacent property, and was wondering how we might address this at the Town meeting related to the conditions of that property? Matt: If any questions do come up, we can certainly let them know that we are well aware of the environmental concerns. We have vetted them pretty well at this point. The potential responsible party has been identified and they are making their way through the MA contingency plan. The site has been daylighted. It is not an orphan site. In regard to drinking water concerns, our treatment system in Acton Center can remove the chlorinated solvents that have been identified at the property. We are pretty confident of the extent of the contamination. And the conservation restriction allows for the remedial investigation activities that need to be done at the property.

Joe Robb: Follow up question – do those terms in the conservation restriction allow for a range of remedial action options or are there any limitations? Matt: The way that it is written there could be some limitations, but it does generally allow for assessment and remediation needs of the site. Any PRP would have to work with us as the property owner as to what needs to be done.

Jacob Reichert: He is an abutter of 549 Main Street and was not able to make the public hearing. He would like to know what the plan is for the property. Matt: The primary purpose is for water supply protection purposes and to enable us to develop two wells in the area. The Town of Acton is being asked to hold a conservation restriction on the property which would do two main things: (1) extra level of protection to the property going forward and stays in its current state

and (2) give public access to the existing trail network. Matt is happy to have a conversation with Jacob offline.

5. Ground Water Protection District Amendments

Matt: We have not been asked to present that article at Town meeting. Himaja will present the amendment on behalf of the planning board and District. Steve wanted to know if Himaja plans to make a video. Matt is not sure. Barry: Himaja was going to use the slides as the basis of her presentation.

6. April 22 Open House

Matt stated that there was great weather; about 60-70 people visited. He is hearing all good things from those that were present. The staff did an excellent job preparing and carrying out the event, especially Alex and Christine who coordinated in Matt's absence. Erika said that the folks who were there were enjoying themselves; they were asking lots of questions and were really into checking it all out.

Kim Kastens: She attended the open house. She was impressed with the level of interest from the town and the level of commitment and organization from the District. It was a great event. She did the tour with Jim Cray from Wright-Pierce. She asked Jim what happens to the iron and manganese when it gets taken away? He said it goes elsewhere. So, she wanted to ask Matt what actually happens to the iron and manganese. Matt: Jim's answer is correct that it does go elsewhere. We have not had to dispose of it yet and once we need to, the material will be characterized and we will determine the best option that is available at that time. He mentioned what happens to waste from North Acton and that in general, waste streams form water and the waste water treatment facilities are experiencing issues with disposal capacity and options.

E. NEW BUSINESS:

1. May 11th Drinking Water Awards and Legislative Briefing

Matt stated that the District is once again the recipient of the MassDEP Water Conservation Award. Typically, we are not supposed to be eligible back-to-back but once again we are receiving this. It's a direct reflection of our customers and their willingness to reduce their water use as we work through our PFAS water issues. Steve stated that he will join the awards ceremony at the State House. Matt: In conjunction with the awards ceremony there will be a legislative briefing that the Mass Water Works Association and the American Council of Engineering Companies will be putting on so if there are any messages that we'd like to convey to our legislative delegation at the State House, please pass along your thoughts now or in an email.

The District had been working toward getting federal assistance for PFAS contamination. We have heard back from Representative Lori Trahan's office and unfortunately her office will not be able to support any earmarks or assistance for us at this time. Her staff highlighted that the Town of Acton received funding last year and they are trying to spread their benefit across more of their constituents. We do have applications with Senator Warren and Senator Markey and hopefully those will continue to move forward.

Other new business:

Matt is pleased to announce a new water treatment operator, Joel Gilbert. He accepted our offer on Friday. He comes from the Pepperell Water Department. He was there for a few years and prior to that he worked for the Pepperell Sewer Department.

Mr. Rosen moved to adjourn the open meeting at 8:03 PM. Ms. Amir-Lin seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Ms. Amir-Lin, and Mr. Rosen.

Next Meeting: May 8, 2023