

Board of Water Commissioners
Meeting Minutes
Acton Water District
693 Massachusetts Avenue, Acton MA
Monday, April 27, 2020

AGENDA

A. Comments from Citizens

B. Approve Minutes of Meeting on April 2, 2020

C. OLD BUSINESS:

1. Appoint One Commissioner to Approve Warrants While Conducting Meetings Virtually
2. Update on System-Wide Source Sampling for Per- & Poly-Fluoroalkyl (PFAS) Substances

D. NEW BUSINESS:

1. COVID-19 Impact on Payment of Water Bills and the District's Role in Economic Restoration
2. Discussion of Inception of Annual Calendar-Triggered Outdoor Water Use Program

Present at Today's Meeting:

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

District Manager: Chris Allen

District Treasurer: Mary Jo Bates

District Counsel: Mary Bassett

Environmental Manager: Matthew Mostoller

Finance Committee: Dave Butler, Bill Guthlein and Chuck Bradley

Commissioners Secretary: Lynn Protasowicki

Citizens:

Kim Kastens

Ron Parenti

David Martin

Richard Kelleher

Terra Friedrichs

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 a video conference using Zoom. The meeting was called to order at 2:15PM on Monday, April 27, 2020 by Mr. Stephen Stuntz.

A. Comments from Citizens:

No comments from citizens

B. Approve Minutes of Meetings of April 2, 2020:

Mr. Rosen motioned to approve the minutes of April 2, 2020. Ms. Amir-Lin seconded, and it was unanimously approved by a roll call vote.

C. OLD BUSINESS:

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

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

Ms. Amir-Lin - yes

Mr. Rosen - yes

Mr. Stuntz - yes

2. Update on System-Wide Source Sampling for Per- & Poly-Fluoroalkyl (PFAS) Substances

Mr. Mostoller provided an update on the system-wide source sampling for Per- & Poly-Fluoroalkyl (PFAS) Substances. He noted that at the last meeting the District was awaiting on sample results for a large chunk of the system. The initial round for the entire system has now been completed.

The Clapp Whitcomb facility had raw water detections however the carbon that is there presently appears to adequately treating it down to non-detect. The Conant Wells all had detections below the proposed standards and blending of those sources in the new treatment facility should help to further control those concentrations, especially if the bedrock wells are developed and approved.

In the North Acton Treatment facility, it appears to have elevated concentrations but until we have completed the confirmatory sampling, he is going to withhold judgement on those numbers.

This morning we collected confirmatory samples for the Clapp Whitcomb and Conant I sources. The plan for tomorrow is to collect the confirmatory samples for the North Acton and Conant II sources.

He has begun drafting public notice premised on being above the proposed drinking water guideline of 20 parts per trillion (ppt) but the Massachusetts Department of Environmental Protection (MassDEP) has not given a firm order on when notice should go out. He anticipates sending a draft around in foreseeable future.

Mr. Rosen asked Mr. Mostoller for clarification on the notification level. Mr. Mostoller stated that under the proposed regulations one form of notice occurs if above 10 ppt and another form of notice occurs if above 20 ppt. MassDEP is proposing a 20 ppt standard however right now it is a guideline and they expect some form of action whether that is consumer notice or ongoing monitoring if at 10 ppt. At 20 ppt MassDEP will want efforts to reliably test below the standard and more firm language for the subset of the population that are infants, woman of a childbearing age, nursing mothers, and pregnant woman.

Ms. Kastens asked Mr. Mostoller if they send out a blanket notice to all in town or something that is more targeted to gynecologists, midwives, etc. Mr. Mostoller stated that it would be a broad notification. There have been conversations in the industry that maybe MassDEP or state Department of Public Health would notify people that work with these sensitive sub populations.

Mr. Stuntz asked when we would receive confirmation. Mr. Mostoller stated that he anticipates samples will get picked up by Wednesday or Thursday of this week. Because of COVID-19 the lab demand has gone down, so they have been turning these samples around much faster. At this point Mr. Allen and he have been exploring some options for reconfiguring our operations and work is ongoing to better understand what options we have. Begun some discussions about potential treatment that may exist.

Ms. Kastens inquired as to whether the District can make it through a dry summer by having Assabet 1A offline. Mr. Allen stated that it will be difficult to meet the demand with that source or others offline.

Old Business:

Mr. Allen informed the Commissioners that during this time, current strategy of staffing is working well; the District along with two other utilities made a shared purchase of 1,000 non-N-95 masks for staff to use. He recently answered a survey through MassDEP that emergency management agencies will provide Personal Protective Equipment to water and wastewater operators in Massachusetts, so he took part in survey so as to be a part of that program.

D. NEW BUSINESS:

1. COVID-19 Impact on Payment of Water Bills and the District's Role in Economic Restoration

Mr. Allen stated that the Treasurer sent a memo this morning to the Commissioners related to the collection of water bills and a motion to waive interest. May 6th is due date for payments but would like to extend to June 30th.

Mr. Rosen sent Ms. Bates questions and got the answers. Trying to understand if certain accounts are carrying interest balances month to month. He would like to give relief to those financially impacted and not those who are always late with payments. He would like to find a way to provide relief to those who are financially impacted and how we can that. Ms. Amir-Lin is not sure if that is a good use of our time. This is a short-term measure that is being proposed. We aren't in the business of figuring out who is tardy in paying their bills. As a District we don't have expertise in knowing who acting on good faith and who isn't. She is fine with going ahead with this proposal that Ms. Bates had suggested.

Mr. Rosen inquired as to whether we are proposing to offer this relief as a onetime opportunity for bills that are due May 6th or extend that beyond for those that are having a financial hardship. Mr. Stuntz stated that we are just looking at extending the due date from May 6th to June 30th. There would be no interest payment since we are moving the due date.

Ms. Bates stated that those that still have a prior outstanding balance will still pay interest on the prior balance of on the current bill.

Ms. Amir-Lin motioned that we approve as proposed by the District Treasurer the following: to move that, with reference to water bills currently due on May 6, 2020, pursuant to section xiv of the District bylaws empowering the Commissioners to fix a rate of interest on water bills remaining unpaid after the due dates, in consideration of the Commonwealth's declared state of emergency, 0% interest shall be due on any late payment of said bill, if the bill is paid in full before June 30, 2020 but any payment on or after June 30, 2020 shall carry interest at the rate imposed by Ch. 59, sec. 57. Mr. Rosen seconded the motion and it was unanimously approved by a roll call vote.

Mr. Stuntz - yes

Ms. Amir-Lin - yes

Mr. Rosen - yes

2. Discussion of Inception of Annual Calendar-Triggered Outdoor Water Use Program

-Program goes into effect on Friday, May 1, 2020

Mr. Allen stated that the District has a strictly regulated program that goes into effect Friday, May 1, 2020 through October 31, 2020. Mr. Allen and Mr. Mostoller have been discussing something of an elevation of the program because a potential inability to meet demand in summer months due to capacity restrictions. He does not have a proposal to present currently. If we do need to take sources offline due to PFAS impacts, then meeting that demand may become more challenging. Mr. Mostoller added to what Mr. Allen stated. Program allows watering 3 days a week. That could go to a lower number of days. In the past we when have escalated our programs we did an all-out ban in 2016 during the drought, in 2014 one day a week lawn watering; and in 2010 allowed only hand watering of flowering and food gardens. On

another note other towns have enacted outdoor water restrictions because it is unclear of what the ultimate impact will be on demand. Ayer, Littleton and Hudson during their initial phases of addressing PFAS put watering restrictions in place to better manage their water systems as they work on longer term solutions.

Mr. Stuntz stated that we don't need to decide anything now. He mentioned that Mr. Mostoller will have several proposals based on the size of the problem. The water users would expect us to adopt a policy to the need at the time. Mr. Mostoller stated that his concern in the timing of it - if we get results at the beginning of May we'd be ramping up our messaging that the seasonal program is going into place but then it could change a few days later. Ms. Amir-Lin stated that early messaging is good as people are starting to think about growing more food (i.e. vegetable gardens); letting them know earlier; and if there will be a garden exemption.

Mr. Rosen mentioned that MassDEP proposed we reduce to two watering days per week. Do we have to operate under that? Mr. Mostoller stated that not at this time. We are still operating under our old permit. Mr. Rosen asked if this could change once we finish discussing our pumping that will allow us to get back to our old levels. Mr. Mostoller stated that we will not likely be looking at a change in our permit this growing season. With COVID-19, the water management act is low on the priority list here at the District and with MassDEP.

Mr. Stuntz stated that the message should be that things could change, and it should be a broader message.

Ms. Kastens asked if the District is selling more or less water than in previous Marchs and Aprils due to COVID-19 because people are home all day and using more water or because restaurants are closed. Ms. Bates stated that when we read meters recently, we saw an 8% decrease from the same period in water use which will impact our July billing.

Terra Friedrichs from West Acton objects to any water restrictions preventing her from growing food and yet a developer can walk into the District and get a new water hook-up anytime they want. If those new water hook-ups are for low income, who work in town and need housing, but these aren't the developments that are happening. She does not see a single-family home is not a public necessity or right. If the District is going to limit our use, it's time to stop new water hook-ups.

Mr. Stuntz replied that the District has discussed the issue over the years of new developments versus continuing use and we are limited in terms of what we can and can't provide people who want to hook-up. She hopes we can study that and determine what limits we can make relative to public necessity versus profit.

She also had a comment on the PFAS notice. She is looking forward to receiving the information on it. She objects to targeted use of notification. The notice should go to everybody and it should have a large warning so that people will open the notice. Mr. Stuntz stated that this is what Mr. Mostoller ended up proposing - that we will not target any specific groups; it will go to every District water taker. It is up to an individual to decide if they relate to the language that the state requires us to use.

Ms. Friedrichs inquired about the draft housing production plan that has been released for comment and in that document, there are projections that appear quite different from what the District uses. The housing folks tend to think in terms of population growth and the number of permits they will receive. She wanted to know if the District has been involved or been contacted by the Housing Authority yet. Mr. Allen stated that input from the District had not been requested. Mr. Mostoller has started to look at it because Ms. Kastens highlighted it. She stated that a couple of other committees objected to the draft that was released without involving them. Because of citizen concerns they have been contacted already.

Mr. Rosen mentioned that he has read the document from cover to cover and they left out significant things. There are a number of areas in which the District should have been involved. He would like to respond to the PB and BoS either as a Commissioner or as a resident to ask them to reexamine their assumptions that have been made without involving either the WRAC or the Acton Water District. If they don't respond to us, I am not sure what the District should do.

Mr. Stuntz stated that he also read it. He had trouble following their connection between population and water use. It became unclear at what they were trying to do. Their goal is satisfying state requirement goal for 40B certification. They were curious about land use and not water use. They didn't have any interest in what the impact is on water use and the District. Maybe they did not contact us because they do not think it's an important piece of the puzzle for their needs which is to satisfy the state requirement for 40B certification.

Mr. Stuntz suggested that if Mr. Rosen wants to put something together to circulate that everyone can take a look at it. Ms. Amir-Lin also thinks that the District is consistently not involved in things; what can we do to get more involved so that we are not always in a reactive mode?

Mr. Mostoller briefly looked at the document. It's not just about water use but also includes land use. It's about the competing interest of land use.

Mr. Rosen believes that the proposal was done in a vacuum.

Ms. Friedrichs had a question for Mr. Rosen - on page 57 there is a map of potential development parcels and one in West Acton appears to be in Zone 2. Mr. Rosen did see that.

Mr. Rosen stated that consideration of water supply and land use should be concern for us. Mr. Stuntz stated that we do, and we see that in the development plans.

Richard Kelleher stated that he would encourage the District in what Barry is doing. It's very important to address all his concerns. Maybe it should go to the Board of Selectmen since they require committees to work across all issues. Mr. Rosen said in a 40B you can see the development plans but it's not us that can say we don't like it, it's the Zoning Board of Appeals (ZBA) not the Selectmen. Any objections it's the ZBA. He said here is what we'd like the board of Selectmen to approve and we'd like to propose this to the state.

Mr. Stuntz moved to adjourn the open meeting at 3:06 PM. Ms. Amir-Lin seconded the motion and it was unanimously approved by a roll call vote.