

Board of Water Commissioners

Meeting Agenda

Monday, September 9, 2024 @ 7:00 PM

AGENDA

- Comments from the public
- Approve minutes from the meetings of 7/29
- Appoint one Commissioner to sign warrants while conducting meetings virtually

OLD BUSINESS:

- Per- and Polyfluoroalkyl Substances (PFAS)
- Current sample data, if available
- Discussion of Additional PFAS Upgrades
- MDL Update
- Kelley's Corner Project
- Update on Baldco
- MWRA MetroWest Expansion

EXECUTIVE SESSION: To consider the purchase, exchange, lease of real property as an open meeting may have a detrimental effect on the negotiating position of the District.

In attendance

Board of Commissioners: Barry Rosen, Erika Amir Lin, Steve Stuntz

Finance Committee: Ron Parenti

District Manager: Matt Mostoller

District Treasurer: Christine McCarthy

Members of the Public: Kim Kastens, John Petersen, Bill Guthlein, Allison Jones

START OF MINUTES

Mr. Rosen opened the meeting at 7:01 pm

Comments from the public

Ms. Kastens provided the board with a comment and a question. Ms. Kastens commented that on the Green Acton website there was a post about Nashoba Brook's salinity, which briefly mentioned the Acton Water District.

Ms. Kastens, as a member of the Town's Hazard Mitigation Working Group, asked about the town's water capacity to adequately combat brush fires, especially as the community experiences the effects of climate change.

Mr. Mostoller responded that broadly, the water system is designed based on fire protection needs of the community. Wild land firefighting efforts may not exclusively use public water sources. Mr. Mostoller said that the system design includes fire protection, and they keep several days' worth of water stored in the tanks, which keeps them adequately prepared.

Approve minutes from the meetings of 7/29

Ms. Amir Lin motioned to approve the minutes of 7/29/24. Mr. Stuntz seconded, and it was unanimously approved via a roll call vote, Ms. Amir Lin, Mr. Stuntz, Mr. Rosen.

Appoint one Commissioner to sign warrants while conducting meetings virtually

Ms. Amir Lin motioned to appoint Mr. Rosen to sign warrants until the next regularly scheduled meeting. Mr. Stuntz seconded, and it was unanimously approved via a roll call vote, Mr. Stuntz, Ms. Amir Lin, Mr. Rosen.

OLD BUSINESS:

Per- and Polyfluoroalkyl Substances (PFAS)

Current sample data, if available

Mr. Mostoller shared the most recent PFAS sample data. Sample data was collected on August 19th. From these samples North Acton remains at non-detect, and Center Acton is at 9.4 ppt. Mr. Mostoller warned that in October, November, and December they frequently see these numbers increase at Center Acton, which they are prepared for as they are using this facility part time until PFAS treatment is complete. On August 20th, South Acton was sampled, and the results were 14.6 ppt. September sampling of the North and South Acton

plants will take place this week, and Center Acton will be sampled in late September. This week the PFAS website and email list will be updated with these new sample results.

Discussion of Additional PFAS Upgrades

Mr. Mostoller informed the board that the North Acton project has some outstanding items as they work to close out the project. In August, the engineering firm met with the General Contractor to negotiate price reductions, forgo some outstanding items, and make up for some issues identified during construction. They expect they will be able to close the project by the end of October.

Mr. Mostoller then switched to South Acton which is not moving as quickly as they would like. The contractor has not mobilized to the site or broken ground, putting them behind the desired schedule. Mr. Mostoller is working with the engineer to come up with a schedule that reflects the contract and will get it back on track. This project was also delayed due to trouble transferring the building permit from the engineer to the general contractor. In the next week they plan to mobilize to the site and begin breaking ground.

Mr. Mostoller updated the board on Center Acton which is making progress. He shared some photos of the site, as they began clearing land and running the electrical conduit from the existing site, putting in erosion control, and establishing the access road to the bedrock well site. The contractor on that project is ready to submit the first pay requisition.

Mr. Rosen asked if the South Acton project could catch up and make up for lost time. Mr. Mostoller responded that once they are mobilized to the site, they should be able to make up for lost time. He emphasized that the design of South Acton is very straightforward and allows for ease of construction. The building is scheduled to arrive in November, and the vessels are scheduled to arrive November 1st. They are pushing to have site work done to accommodate the vessels being placed directly on the footings and then construct the building before winter. After that piping and electrical work will begin.

MDL Update

Mr. Mostoller informed the board that their special needs claim was filed on August 23. It included a robust package of expenses that we believe qualifies, totaling nearly \$5.5 million. It is unclear what kind of funding is available for special needs claims so it is unclear how much the District might receive.

Kelley's Corner Project

Mr. Mostoller informed the board that the south leg of the intersection down Main Street is finished. There is one connection at the very southern end that needs to be made. This final

connection is waiting for Stop and Shop to upgrade the water main near the old McDonalds building. Heading east down Mass Ave, near route 2, is mostly complete. They have passed the pressure tests, and bacteria tests. The contractor is working on making connections to individual buildings. The northern leg of the intersection towards Acton Medical is the last segment for water related work. The Town has begun work on their sewer crossing under Route 2 in this same area. Mr. Mostoller believes the State contractor and the Town's contractor are working out the details of the over-lapped project areas. There could be some delays with this, but Mr. Mostoller is hopeful to have the water related work finished by the end of the calendar year.

Update on Baldco

Mr. Mostoller congratulated the board on the official closing. The closing date was August 15. They have not been able to complete the taking of the property, as they are awaiting the final plan of land from the surveyor. Once that is done, then Attorney Bassett and her team will do the taking, which is the final piece relative to the acquisition. Mr. Mostoller reminded the board they had identified some contaminants of concern, and they notified MassDEP on August 21, and a release tracking number was issued for the property. The Licensed Site Professional (LSP) is working on a down gradient property status filing; Mr. Mostoller reviewed this process's timeline.

Mr. Rosen asked if Ms. Bassett would stay on this project until the taking. To which Mr. Mostoller affirmed she would.

Mr. Rosen asked how the registered land fits into this. Mr. Mostoller responded that the registered land is not part of the taking and is its own piece. The plan is being revised to reflect this piece of registered land.

MWRA MetroWest Expansion

Mr. Mostoller reminded the board of the past approval for the district to spend \$75,000 to study alternative water sources, they are still working on establishing the scope of that study including some of the mechanics of cost sharing for infrastructure that would allow an MWRA connection in this area. The neighboring Town of Maynard has been going through a similar process and is reaching out to neighboring communities to ask if they would like to share the cost of a study to explore different cost allocation models.

Mr. Mostoller explained the importance of understanding the allocation model for joining the MWRA and the challenges of understanding the financial mechanisms of joining. The board has discussed the pros and cons of joining a regional water system or maintaining a

local system, but this study would begin to approach the question of cost and how that might be shared.

Maynard is looking to move forward with this study before the end of the year. Mr. Mostoller recommended joining Maynard in this study as it's an opportunity to share costs on work they were likely going to do anyways. Maynard has informed Mr. Mostoller that there may be 6 more neighboring communities joining this study. Mr. Mostoller added that by joining there would be money allocated left over for the district to spend on a separate study about Acton's specific needs, such as evaluating water quality concerns. The board then shared their thoughts on this item.

Mr. Rosen asked if they need a memorandum of understanding (MOU) between the participating towns on how the study costs will be shared, who will be responsible for the contract, and other particulars will be spelled out. He noted that the District could volunteer to write up the MOU as the District and its attorney has a lot of experience in crafting that kind of agreement. Mr. Stuntz agreed with this idea.

Ms. Amir Lin asked what Maynard is estimating the cost to be. Mr. Mostoller responded that they estimate it will take \$100,000, and will be done through Maynard's consultant Stantec. Stantec has done similar work on large scale infrastructure projects through North America. Mr. Mostoller noted that if several communities join in this study, it may catch the attention of the MWRA and bring them back to the table for more in-depth discussions.

Ms. Amir Lin agreed hypothesizing that the District can contribute up to \$20,000 to get information that would be beyond what they could get by themselves, while building relationships with their neighbors, and signaling their clear interest to the MWRA. She also agreed with Mr. Rosen's suggestion that the District offer to write the MOU for participating communities. Mr. Mostoller clarified that the agreement may be an inter municipal agreement (IMA).

The board then discussed the language of the following motion.

Mr. Rosen motioned for the Acton Water District to offer to write an MOU, IMA, or whatever appropriate agreement is necessary, that would incorporate joining with Maynard and other interested parties to fund the Maynard Stantec MWRA Cost Allocation Analysis.

Ms. Amir Lin seconded, and it was unanimously approved via a roll call vote, Mr. Stuntz, Ms. Amir Lin, Mr. Rosen.

Mr. Mostoller had asked the board about scheduling an additional meeting. A General Obligation Bond sale is approaching on the 12th, so an off-schedule meeting is necessary

on or around the 19th to approve the sale and collect the necessary signatures. This would be a single item meeting followed by coordination with the Clerk to certify and send the documentation to Bond Counsel. The board then shared their availability for that week and discussed options for this off-schedule meeting. The board agreed on an afternoon meeting on September 18th, time to be determined based on Mr. Mostoller's travel schedule.

Noting the absence of Mr. Mostoller and Ms. McCarthy, Mr. Petersen had a question for the board about hiring for vacant positions and the impact these vacancies have on existing staff. Mr. Mostoller responded they are looking to fill the vacancies. In the interim, Mary Jo Bates, the former Treasurer, has come back to work part time in the office to provide customer service coverage and handle other administrative tasks.

EXECUTIVE SESSION:

Mr. Rosen motioned to close the regular open meeting currently in session, and have the Commissioners enter an executive session pursuant to General Law chapter 30A section 21a6 to consider the purchase, taking or value of real property, and to not reconvene in open session.

Mr. Stuntz seconded, and it was unanimously approved via a roll call vote, Ms. Amir Lin, Mr. Stuntz, Mr. Rosen.

Opening meeting closed at 7:43 pm