

Joint Meeting of Board of Water Commissioners and Finance Committee

Meeting Agenda

Monday, June 3, 2024 @ 7:00 PM

AGENDA

- Comments from the public
- Approve minutes from the meetings of 5/13 and 5/28
- 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
- Update on BALDCO Acquisition
- Update on 549 Main Street
- Conservation Restriction Status
- Rules & Regulations for Public Use
- Discuss Flume Rebate Program

NEW BUSINESS:

- Meeting Schedule July-December 2024
- Discuss Special District Meeting on June 13, 2024

In attendance

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

District Manager: Matt Mostoller

District Treasurer: Christine McCarthy

Environmental Manager: Alexandra Wahlstrom

District Counsel: Spencer Holland

Finance Committee: Ron Parenti, John Petersen

Members of the Public: Dave Boccuti, Diane Baum, Kim Kastens

START OF MINUTES

Mr. Rosen opened the meeting of the Board of Commissioners at 7:00 pm.

Mr. Petersen opened the meeting of the Acton Water District's Finance Committee.

Comments from the public

Ms. Kim Kastens congratulated the board on recent achievements on the North Acton Project. She continued that other communities with PFAS issues reported diminished water production after the treatment media was added, she asked if this would be an issue with North Acton.

Mr. Mostoller explained that this was an issue some communities found who had acted very early on to addressing PFAS contamination. He clarified that the District is using different filter media at the North Acton plant and we have a slightly different set up which uses an equalization tank to prevent diminished output. After a follow up question Mr. Mostoller explained how the equalization tank works to do this.

Mr. Dave Boccuti commented that he learned of the upcoming special meeting because of the legal notice in the mail, and he wanted to know why it was not sent out earlier.

Mr. Mostoller explained that the special meeting was called on May 28th, and direct notice to customers followed. The clerk posted the warrant for the meeting 14 days prior. He explained that the timeline is tight for this meeting as they have a three-week window to work within.

Mr. Petersen added that the background of this special meeting is on the agenda for tonight and will be explained further.

Approve minutes from the meetings of 5/13 and 5/28

Ms. Amir Lin motioned to approve the minutes of 5/13/24. Mr. Rosen seconded, and it was unanimously approved via a roll call vote, Ms. Amir Lin, Mr. Stuntz, Mr. Rosen.

Mr. Stuntz motioned to approve the minutes of the 5/28/24 meeting. Ms. Amir Lin seconded, and it was unanimously approved via a roll call vote, Mr. Stuntz, Ms. Amir Lin, Mr. Rosen.

Appoint one Commissioner to sign warrants while conducting meetings virtually

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

OLD BUSINESS:

Per- and Polyfluoroalkyl Substances (PFAS)

Current sample data, if available

Mr. Mostoller presented the data from May 14th, when South and Center Acton were providing water to the system. Center Acton sampled at 6 ppt, South Acton sampled at 11.3 ppt. Mr. Mostoller noted that they expect these sample results to go up through October and November as they have during recent summers of sampling.

Mr. Rosen asked if they had heard anything from MassDEP about their adoption of the new EPA guidelines. Mr. Mostoller responded that he and Ms. Wahlstrom attended a meeting MassDEP held where they spoke about the process broadly. He expects that MassDEP may be stricter than the federal guidelines, which may affect our operating costs.

Discussion of Additional PFAS Upgrades

Mr. Mostoller reported that North Acton achieved a sample within the non-detect guidelines in May. Sampling will continue this month and they are in communication with MassDEP about future sampling schedules. This update was sent to the email list and will be presented with the rest of the May sample data.

Mr. Boccuti asked if water from the North Acton Plant serves North Acton or if the system is mixed. Mr. Mostoller explained North Acton primarily serves North Acton but there is some minor mixing when all three are contributing to the water system for services in and around Main Street and Nagog Park.

Returning to North Acton, Mr. Mostoller said MassDEP inspected the plant last Friday and gave their conditional approval; on Saturday the plant was delivering water to customers, and everything has been working well.

Mr. Mostoller asked the board if they would want to recognize this achievement in some way. Ms. Wahlstrom has been in contact with Acton TV to schedule coverage.

The board began their discussion on this idea. Ms. Amir Lin said it would be nice to do something small with Acton TV like similar past events. Mr. Rosen noted that other parties like the Selectboard and Town Manager should be invited to which Mr. Stuntz agreed. The board continued to discuss the details of this event. The board asked that District staff

begin looking for dates to plan this event, and Mr. Petersen suggested a visual aid to present chronology of these PFAS projects may be suitable for this commemoration.

Mr. Mostoller informed the board that for the South Acton project the authorization to award the main contract package had been sent to MassDEP. They were able to identify some cost savings for this project. Mr. Mostoller held off on Center Acton updates until a later agenda item.

Update on BALDCO Acquisition

The BALDCO acquisition has moved ahead to further site characterization which will help determine the next steps based on environmental conditions. Mr. Stuntz asked when the testing and results will be completed. Mr. Mostoller responded that in about two weeks they will conduct sampling and field screening while drilling, they anticipate the second meeting in July will have a relevant update on this item.

Update on 549 Main Street

Conservation Restriction Status

Mr. Mostoller reported there has been little movement on the Conservation Restriction (CR) status. This item will remain a standing item until they can sign. The contacts of the MVP grant have been updated on these challenges with the CR and have offered some assistance. Mr. Mostoller informed the board that if the CR comes back, they may need an off-cycle board meeting to approve and sign it in person, so Mr. Mostoller asked the board to inform him of any travel plans.

Rules & Regulations for Public Use

Mr. Mostoller gave some background on this item, saying that because the property will be open to the public the District needs rules and regulations in place for public use. The draft presented to the commissioners mimics what the Town's Conservation Commission uses for conservation land with slight changes made for the District's specific needs. The board discussed the draft rules as presented. Mr. Rosen asked about the relevance of number two on the list and its unique times. Mr. Mostoller explained that on Fourth of July and Patriot's Day reenactments can occur on the trail before sunrise, so this was drafted to carve time out for those activities. Mr. Petersen asked if number eleven in the rules allow people to pull things like garlic mustard on the property. Mr. Mostoller affirmed there is an exemption for that activity under property maintenance. The Board then discussed the restrictions around tents and other structures. Ms. Amir Lin asked if because e-bikes are not allowed on the property if that needs to be listed in number five, Mr. Mostoller explained that rule is listed in the CR. The Board then briefly discussed the timeline and the

possibility of making reflective changes in response to issues as they arise. The board then reviewed the use of bikes on the trail network.

Mr. Rosen asked how these rules and regulations will be made known to the public. Mr. Mostoller explained that they will be listed on the website, they hope to partner with the Town to make sure it's listed for the Town trail's page, and it will be displayed at a prominent location on the property. The Board then briefly discussed where on the property they may want to post this information, and the possibility of using a QR code to connect to the website.

Mr. Mostoller asked the board to designate the District Manager as the Designee as outlined in the rules to allow them to propose changes and to have a check-in period after changes are made. The Commissioners wrapped up their discussion.

Mr. Rosen motioned for the board to adopt the current rules and regulations for public use of 549 Main Street and to designate the District Manager as the Designee to update the rules and regulations as needed and to designate and assign any enforcement or enforcements necessary. Mr. Stuntz seconded the motion.

The board then took comments from the public. Ms. Kastens suggested that many average users may not know who the District Manager is and encouraged signage and website pages to say, "Manager of Acton Water District" and to provide a phone or email where people can report or text in any violations they see. Mr. Mostoller noted that the rules will be streamlined for public posting to ensure they are easy to understand for the public signage. What is being adopted tonight is the underlying document which will regulate the rules.

The motion was unanimously approved via a roll call vote, Ms. Amir Lin, Mr. Stuntz, Mr. Rosen.

Discuss Flume Rebate Program

Ms. Wahlstrom provided an update on the Flume Rebate Program. Ms. Wahlstrom provided the background on this item and the end use study the District is participating in. Flume agreed to provide 80 subsidized flumes for the study and 10 Flumes specifically for multi-family homes. Flume ended up sending 14 for multi-family homes, and the 80 available subsidized flumes were sold out within 4 hours of the District's WaterSmart notification. Flume then created a wait list of those who were still interested; the wait list currently has 76 customers on it. It was a welcome surprise to see how sought-after these devices were. In discussions with Flume, they affirmed to Ms. Wahlstrom that they are committed to honoring the existing subsidized price of \$75 per Flume.

The Board was extremely pleased with this outcome. Mr. Mostoller asked if the program can be expanded and if that expansion can be immediate or delayed in its rollout. Ms. Wahlstrom explained they can reach out to Flume and ask to see if the price would hold in an expansion. Mr. Stuntz asked how the Flume works for multi-family housing. Ms. Wahlstrom explained that the multi-family units must share a wall and need to be metered individually. The Board then discussed how irrigation systems may function in the measurements of the study and which types of homes have irrigation systems.

Mr. Boccuti asked the board how specific the measurements from the meter the Flume can get. Mr. Mostoller explained how the device works and how it interprets specific in-home water uses. The Board discussed the need for additional information, including seeing the data generated by existing Flume devices, before deciding to expand the program.

NEW BUSINESS:

Meeting Schedule July-December 2024

The Commissioners reviewed the proposed schedule. Ms. Amir Lin confirmed she will call in from out of town for a September meeting. Mr. Stuntz informed the board he will be unavailable for the July 15th meeting. Mr. Mostoller said they will keep the July 15th meeting on the books to conduct without Mr. Stuntz as Ms. Bassett and Ms. McCarthy has time sensitive business before the board for that meeting. Mr. Mostoller said he will reach out to Mr. Stuntz to confirm. The commissioners affirmed to Mr. Mostoller to adopt the meeting schedule.

Discuss Special District Meeting on June 13, 2024

Mr. Mostoller confirmed that the Special District meeting on June 13th will be held in the District garage building at 693 Massachusetts Avenue at 6:00 PM. Mr. Mostoller informed the board that in his discussions with the Finance Committee and staff on informational materials they have some options to discuss. The special meeting could be a bare bones presentation with the one-page handout used to provide key information. Mr. Petersen made some suggestions to the merit of a slide presentation with the same information. Mr. Mostoller asked the Board for their thoughts on this.

Mr. Rosen stated that he thought the meeting should be kept as simple as possible to be straightforward and transparent without going into too many of the specifics. He believed the general bid numbers could be explained for context. Mr. Rosen then reviewed the information so it could be simply explained to the voters. Mr. Stuntz agreed with Mr. Rosen

to keep it simple and added that it could be presented as an error in the original estimates. Mr. Stuntz did not believe it necessary to get into alternatives.

Ms. Amir Lin was very pleased with the handout and how it was put together. She expressed support for the meeting relying on the handout rather than making a presentation as this is a single-issue meeting.

The Commissioners then asked those present from the Finance Committee to share their thoughts. Mr. Parenti was also impressed with the quality of the handout but noted that they should be prepared to answer questions, and clearly convey the urgency. Mr. Parenti and Mr. Rosen then discussed this point about answering questions like how this relates to the MWRA study, the June 30th deadline, and the loan they want to use. Mr. Petersen explained that a presentation may be useful to ensure people get the information, to show the overages on the PFAS treatment construction in case people do not read the handout before the meeting begins. The Commissioners and the Finance Committee then discussed this topic at length. Ms. Amir Lin noted that the Commissioners will have to present the information as part of the flow of business. Mr. Mostoller confirmed that Mr. Rosen and Mr. Petersen are to present the warrant article. Mr. Rosen asked the other commissioners how they felt about the presentation of the information. Ms. Amir Lin stated that she felt like the explanation could be given when they put forth the article with the well-done handout. Mr. Stuntz agreed.

Mr. Boccuti commented that he agreed with the commissioners about the handout, and wanted it to be sent out as soon as possible and to stress the bottom line. He asked if the voting for this special meeting has to be done in person, which Mr. Mostoller affirmed that it does.

Ms. Kastens agreed, commenting that it's a good handout. She added that it might be useful to break down the cost of PFAS treatment versus the Bedrock Wells for comparison.

Ms. Diane Baum shared her thoughts that the handout is very dense with information, and it does not clearly say that the cost increase is because of the PFAS treatment materials not inflation as she originally assumed.

The board finalized their plans for the presentation of this item at the special meeting. Mr. Petersen asked about advertising it on Town signs, which the board briefly discussed.

Mr. Parenti motioned for the Finance Committee to recommend Article 1 of the Warrant for the Special District Meeting for June 13, 2024. Mr. Petersen seconded the motion, and it was approved via a roll call vote, Mr. Parenti, Mr. Petersen.

Mr. Parenti motioned to close the meeting of the Finance Committee. Mr. Petersen seconded the motion, and it was approved via a roll call vote, Mr. Parenti, Mr. Petersen. Finance Committee meeting closed at 8:51 pm.

Mr. Stuntz motioned to adjourn the meeting of the Board of Commissioners. Ms. Amir Lin seconded, and it was unanimously approved via a roll call vote, Ms. Amir Lin, Mr. Stuntz, Mr. Rosen.

Meeting Closed at 8:52 pm.