

Board of Water Commissioners  
Meeting Minutes  
Acton Water District  
693 Massachusetts Avenue, Acton, MA  
Monday, May 8, 2023

**AGENDA**

**Swearing in of newly elected officials – Commissioner and Clerk**

**Annual appointments by District Clerk**

**Annual appointment by District Moderator**

**Board realignment**

**Comments from the public**

**Approve minutes from the meeting of 4/24**

**Appoint one Commissioner to sign warrants while conducting meetings virtually**

**OLD BUSINESS:**

1. Knox Trail Solar Project
  - Project Update
2. Per- and Polyfluoroalkyl Substances (PFAS)
  - Current sample data, if available
  - North Acton PFAS Upgrade
  - Discussion of Additional PFAS Upgrades
3. Review of Town Meeting Articles 10 and 16

**NEW BUSINESS:**

1. Update on Board Secretary/Minute Taker Search

***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 7:00 PM on Monday, May 8, 2023, by Mr. Stephen Stuntz.

**Present at Tonight's Meeting:**

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

District Moderator: William Mullin

District Clerk: William Stanford

District Manager: Matthew Mostoller

District Treasurer: Christine McCarthy

District Counsel: Mary Bassett

Finance Committee: Bill Guthlein

Commissioners Secretary: Lynn Protasowicki

**Public Present:**

Ron Parenti, Kim Kastens, John Petersen

**Swearing in of Newly Elected Officials – Commissioner and Clerk**

Erica Amir-Lin swore in William Stanford as District Clerk.

William Stanford, District Clerk, swore in elected official Stephen Stuntz as Commissioner.

**Annual Appointments by District Clerk**

William Stanford swore in the following appointees, each for a 1-year term:

- Christine McCarthy as District Treasurer
- Matthew Mostoller as Assistant Treasurer
- Helen Argento as Assistant District Clerk
- Mary Bassett as District Counsel

**Annual Appointment by District Moderator**

William Mullin, District Moderator, appointed John Petersen to the Finance Committee. William Stanford, District Clerk, swore in John Petersen to the Finance Committee.

**Board Realignment**

Mr. Stuntz moved to elect Erika Amir-Lin as Chair of the Board of Commissioners. Mr. Rosen seconded. All approved. Rosen, Stuntz, Amir-Lin

**Comments from the Public**

Kim Kastens, Pope Road, there is an effort to start a new weekly non-profit, non-partisan newspaper for Acton. They have started to collect information for articles which are mostly from notes from Boards and Committees in town. She submitted the notes from the last District meeting minutes and will continue to do so. The newspaper group is putting content in the Action Unlimited as a way to start getting information out there.

Kim asked if she could hear more information about John Petersen. He moved to Acton in 1986. Served on school committee for seven years; on the School Committee he served on the Health Insurance Trust committee. His undergraduate degree is from MIT and his PhD is in Synthetic Chemistry. He knows a little bit about PFAS; he does have technical knowledge of water purification. He is looking forward to working with the group to help that the Water District is financially sound. And the other thing that is important is for the community to understand the financial importance of the Water District relative to the community finances.

**Approve Minutes from the meeting of 4/24**

Mr. Stuntz moved to approve the meeting minutes of 4/24/2023. Mr. Rosen seconded, and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, and Ms. Amir-Lin.

**Appoint One Commissioner to Sign Warrants While Conducting Meetings Virtually**

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

## **OLD BUSINESS:**

### *1. Knox Trail Solar Project.*

- Project Update

Matt provided an update. He spoke with Peter Bay. We are having our witness test, which is when Eversource comes out and verifies the systems production. That is happening on Thursday, May 11<sup>th</sup>. In approximately two weeks the battery will be commissioned, and the array will be in full operation.

### *2. Per- and Polyfluoroalkyl Substances (PFAS).*

- Current sample data, if available
- North Acton PFAS Upgrade
- Discussion of Additional PFAS Upgrades

Matt provided an update on sample data. The April sample results are in for Central Acton and South Acton. Central Acton came in at 9.1 ppt and South Acton came in at 11.9 ppt. The April samples from North Acton are in chromatography at the lab right now. We are starting to see a slowdown in lab turnaround again (similar to 2020; 3-4 week turnaround). Currently we are operating Central Acton and South Acton plants. We are sampling North Acton on May 9<sup>th</sup>. We plan to do some coordinated sampling with the South Acton Water Treatment Plant and Acton's Waste Water Treatment Plant during this round.

John Petersen: with respect to the neighboring communities (Littleton, Westford, Concord), are the PFAS levels of what they observed similar to Acton's? Matt responded saying that our numbers are pretty similar to our neighbors, but Concord is somewhere in 7-8 range. Littleton has been blending so may be higher teens. Maynard is in the mid-high teens based on his last knowledge.

#### North Acton PFAS Upgrade:

Matt stated that the Engineers have meet with the general contractor (GC) and electrical contractor to continue to flush out the construction schedule. The GC plans to have most of the site work done at the beginning of the summer (closer to June 1). Unfortunately, with long lead times of electrical components they will remobilize in fall, closer to the arrival with critical electrical equipment. We have renegotiated the delivery of the filtration vessels for them to show up at the end of the year. We can't have the media on site and not be able to put water through it.

#### Discussion of Additional PFAS Upgrades:

Matt stated that at our Annual Meeting voters approved two appropriations for treatment in South and Center Acton. That was predicated on us being ranked in the SRF program for the current round and we needed that authorization to proceed. At this point we did exceed the Maximum Contaminant Level in Acton Center in the later part of 2022. Under the MA regulations we would need to treat there. Based on what we saw last year, our blending and operational changes may not prove to keep us compliance going forward. Therefore, we should be moving forward on Center Acton. We successfully petitioned the Clean Water Trust and SRF program to combine the Acton Center PFAS treatment with the bedrock wells. As we continue to

move forward on the 549 Main Street land acquisition we would want to go ahead and construct those wells and necessary treatment equipment at that site.

He recommends moving forward. We would need design funds to come up with the design documents that SRF will need by October. If we do want to do that, we can start by requesting if MassDEP has any funding available. If not, we would need to borrow those funds for design.

Barry Rosen: how much will the design phase cost? Matt: based on the North Acton project, I would ballpark design costs would be around \$200K. That would be on short term borrowing.

Erika: What would the timing look like to meet SRF deadlines? Matt: need to have a special meeting by the end of June. He was bringing it up tonight if we want to move forward for appropriating the design funds.

Matt: Two full scale treatment designs would need to be completed. Steve says that is a lot work for an engineering company. Barry would like to know if we should go out for bid. Matt: we may do a request for qualifications with a component of completing the work on an expediated timeline. Counselor Bassett: you don't have to go out for bid for engineering services but these request for proposals would be for qualified proposals to get the job done on the timeline we are on. Matt: because Wright-Pierce has done the bedrock well design and completed the Center Acton treatment plant, if they can complete the work, it will benefit us to move forward with them for the design of Center Acton. Erika: and then we can open an RFQ for South Acton. She thinks it makes sense to pursue design for both locations.

Matt: We received the draft South Acton pilot report at the end of last week and Jim Cray of Wright Pierce, anticipates the Center Acton pilot report on May 22<sup>nd</sup>.

Barry: he thinks we should stick with Wright Pierce for Central Acton but we should look broader for South Acton. Matt: given market conditions we may not find someone. He stated that every engineer is straight out right now. We can see what kind of response we get but it is not given. Counselor Bassett: do we know if Wright Pierce has time to do the South Acton design. Matt: not sure – we discussed this last summer as there have been mixed feelings on the level of resources being attributed to our project work.

Additional updates on PFAS presented by Matt:

-We had submitted community funding requests with our US Senators, and we have made it onto both of their lists. It does not guarantee that we'll get funding, but we made it on the list. If that gets approved, we aren't sure when the funding would get to us.

-We had talked about the federal proposed PFAS standards. The EPA did not extend their public comment period. Public comments will be due by the end of May. He would like to know if we should submit comments as an organization. Erika and Barry: we could submit comments on cost as we have that information.

Ron Parenti: wanted to find out about the comment period. There was a session that the EPA allowed speakers to comment for 2 ½ minutes and that went from 11AM to 7PM and people were commenting all day. There were several comments for a longer comment period.

Bill Mullin: he says we should submit “do not forget us – local water districts”.

Matt will work on the comments and will circulate amongst the Commissioners for input.

### *3. Review of Town Meeting Articles 10 and 16.*

Erica provided an update. She stated that Matt attended town meeting. He commented on Article 16. Happy that Article 10 passed.

Matt: regarding Article 10 - the work is not done. Everyone is now pleased that vote has been approved. We now need the town to stay on board with our timeline that we have in place. We don't get to close on property without a Conservation Restriction (CR). We want to move forward on the construction of wells which are held up by not owning the land. There is still work to be done with the town moving forward. It will be incumbent of us to keep our peers at the Selectboard and Conservation Commission moving in the same direction as us.

Matt: the zoning article (Article 16) – once that was passed it should be adopted and is straightforward.

John Petersen: regarding Article 10, how was the value of the conservation restriction negotiated? Matt: good old-fashioned negotiations. It was a value that the town felt they were extracting from being part of the transaction. A CR would typically be about 75% of the value of the land (this is a typical going rate for CRs). In our situation the bulk of the value is in the CR. If the District is just paying for the land portion, we would be paying less than a \$1M for the underlying fee and the remainder of that would be made up of the CR. We did the opposite – the District is owning the fee and paying the bulk of the price and the town would pay for the \$1M.

Matt: regarding Article 10 – we did submit for a Municipal Vulnerability Preparedness grant application. The final number was for just over \$1.5M to go towards the purchase price and some educational pieces associated with the project. We received letters of support from the Town of Acton, Acton Conservation Trust, the Homeowners Association, and AES at 8 Post Office Square. We should hear back in August about our application.

Kim Kastens: with respect to Article 16 that Green Acton supported. In the comments that Green Acton made, there was an additional comment that went above and beyond of supporting the extension of the groundwater protection zone which was encouraging the town to take another look at what is forbidden in Zone 1 and Zone 2 in addition to extending the geographic boundaries. She wanted to know if they wanted to comment on to what extent that list of things forbidden in Zones 1 and 2 are sufficient or are there additional restrictions imposed in the Zoning Groundwater Bylaw. Erika: she doesn't have the list in front of her. Kim: we could talk about this at another meeting so that we all have the list in front of us and could discuss. Erika: it's a topic that we could take up. Is Green Acton planning to make a formal non- town meeting comment about that to the Selectboard? Kim: we wouldn't do it if the Commissioners didn't think it should be changed. Matt: we did look at this in 2011 or 2014 and there is a Planning Board now who is more apt to listen so it could be good to revisit. A change to the list may not

help us as many preexisting uses would not be further limited and the table limits land uses, not specific contaminants. Erika: she is writing this down for a future topic of discussion.

**NEW BUSINESS:**

*1. Update on Board Secretary/Minute Taker Search.*

Matt: we have been advertising this job position for about a month now. We have had no interest. He is putting a plea to the group to put their feelers out. Are there any other suggestions for networking? Erika: she will share on Acton parents. Matt stated that Christine will take over the minutes in the absence of not having someone in place before Lynn leaves. It was suggested to reach out to the Acton-Boxborough High School to see if there is a student interested. Kim Kastens suggested reaching out to Monty Tech High School. John Petersen recommended asking Beth Petr who takes the minutes of School Committee meetings.

*Mr. Rosen moved to adjourn the open meeting at 8:35 PM. Mr. Stuntz seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, and Ms. Amir-Lin.,*

**Next Meeting: Tuesday, May 23, 2023**