

Board of Water Commissioners
Meeting Minutes
Acton Water District
693 Massachusetts Avenue, Acton, MA
Monday, June 05, 2023

AGENDA

A. Comments from the public

B. Approve minutes from the meeting of 5/23

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

D. OLD BUSINESS:

1. Per- and Polyfluoroalkyl Substances (PFAS)
 - Current sample data, if available
 - Discussion of Additional PFAS Upgrades
 - Comments on proposed USEPA Standards
2. Discussion of Outdoor Water Use Restrictions for 2023
3. Update on Baldco Acquisition
4. Kelley's Corner Project Update

E. NEW BUSINESS:

1. Low Income Household Water Assistance Program (LIHWAP)

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.

F. 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.

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, June 5, 2023, by Ms. Amir-Lin.

Present at Tonight's Meeting:

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

District Manager: Matthew Mostoller

District Treasurer: Christine McCarthy

District Counsel: Mary Bassett

Finance Committee: Ron Parenti

Public Present:

Kim Kastens

Comments from the Public.

No comments this evening.

Approve Minutes from the meeting of 5/23.

Mr. Rosen moved to approve the meeting minutes of 5/23/2023. Ms. Amir-Lin seconded, and it was approved by a roll call vote:

Mr. Rosen- yes, Ms. Amir-Lin- yes, Mr. Stuntz- abstain

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, Ms. Amir-Lin, Mr. Stuntz

OLD BUSINESS:1. Per- and Polyfluoroalkyl Substances (PFAS).

- Current sample data, if available
 - Discussion of Additional PFAS Upgrades
 - Comments on proposed USEPA Standards
-
- Current sample data, if available:

There is no new sample data available at this time.

However, Matt informed the Board that a tentative settlement has been reached in the multi-district lawsuit the District is part of. The settlement is \$1.8 billion and it is presumed that we will receive some sort of compensation from this settlement. Additional settlements may follow from other defendants. Mary stated it is key to have good records of what has been spent to date on PFAS treatment and what we are committed to. Barry asked how many litigants there are, and Matt said there were approximately 4,500 litigants at the last known count.

- Discussion of Additional PFAS Upgrades:

Matt informed the Board that he followed up with Jim Cray from Wright-Pierce last Friday. We are working with a tight timeline, however, he let Jim know that we do want to keep moving ahead with these projects. Jim should be sending Matt some information that was requested shortly. Christine is working on obtaining the financing for the design work for these projects.

- Comments on proposed USEPA Standards:

The District submitted a letter to the EPA expressing our comments and concerns regarding the proposed national PFAS standards. Erika apologized for not circulating a draft letter as she

intended due to work obligations and confusion over the deadline. She thanked staff for providing a good draft to begin with and that the submitted letter was a joint effort. A copy of the letter was provided in tonight's meeting packet. The MassDEP and others have also submitted comments to the EPA.

2. Discussion of Outdoor Water Use Restrictions for 2023

Matt informed the board that last week was a challenging week for us with large amounts of water being used in the evening hours and on the weekends. We are not seeing the level of compliance this season that we had seen the prior two seasons and it is still early on. On a local level, groundwater monitoring that takes place in Littleton shows that our local groundwater levels are showing stress. The Executive Office of Energy and Environmental Affairs is activating the Drought Task Force for a meeting this Thursday to assess conditions.

3. Update on Baldco Acquisition

Matt provided an update. The survey work is now complete. Three areas of apparent encroachments from abutters were identified. As part of the due diligence process we must provide the Seller a Title Notice- this was forwarded to Jason Wolfe on May 31st. The Sellers are not bound to correct the encroachments, rather both parties would need to come to an agreement on resolving them.

Steve asked if we are worried about any of the encroachments? Matt stated that one was previously known, the second one appears to be a minimal issue, and the third is in an area that is not typically accessed so we have not seen the extent. It appears that the area has been used to fill in the land and for equipment storage.

The phase II work for the environmental site assessment is the next task to be completed.

Matt also informed the Board that we have forwarded a draft lease agreement to Baldco. Erika noted that there are a lot of things in process and hopefully things will keep moving forward. Matt indicated that we have a tentative deadline for the closing of July 20th.

Since we have not received a response from Baldco on the Title Notice, we will not need to hold an executive session this evening.

4. Kelley's Corner Project Update

Matt informed the Board that the water main portion of the Kelley's Corner Project is progressing. We do not have a set project schedule as the water main work is being completed whenever possible within the larger project scope. District staff have remained in close contact with the contractor and report that other than the mishaps that occurred a couple of weeks ago, the contractor is being very conscientious.

Christine informed the Board that \$477,991.93 has been spent on the project this fiscal year to date. Additionally, we have applied for and received the \$235k ARPA fund reimbursement from

the Town of Acton. Christine is working with the District's Financial Advisor at UniBank Fiscal Advisory Services to borrow the \$1 million previously approved by voters at the 2022 Annual District meeting. The borrowing will take place in mid-July. Barry asked if this would be a short-term borrowing. Christine confirmed that yes, this borrowing will be a Bond Anticipation Note (likely a 3-month note, but ultimately dependent on the closing date) that we will convert to a Bond when we purchase the property at 549 Main Street later this year.

NEW BUSINESS:

1. Low Income Household Water Assistance Program (LIHWAP)

Christine provided the board with an update on the Low Income Household Water Assistance Program. We had 20 applicants in our vendor portal, 19 of whom are customers. Six applicants had outstanding balances on their water accounts and we have received a check for those balances which has been applied to the customer accounts. All 19 applicants are also eligible for a rate reduction payment which is currently \$200. This funding will be issued at a later date. The rate reduction funding was originally \$450 per applicant, however, due to the number of applicants that were anticipated, the benefit was reduced to \$200. There is a possibility that a second rate reduction payment will be issued if funds are available.

Erika asked about the applicant who is not a customer. Christine responded that we do not supply water to the property.

Matt mentioned to the board that the draft meeting schedule for the months of July to December has been circulated. He would like to finalize this, so he asked the board to send him their comments if they haven't already.

Mr. Rosen moved to adjourn the meeting at 7:44 PM. Mr. Stuntz seconded, and it was unanimously approved by a roll call vote:

Mr. Rosen, Ms. Amir-Lin, Mr. Stuntz

Next meeting: June 26, 2023