

Board of Water Commissioners

Meeting Agenda

September 23, 2024

- Comments from the public
- Approve minutes from the meetings of 9/9 and 9/18
- Appoint one Commissioner to sign warrants while conducting meetings virtually

NEW BUSINESS:

- Representatives of Marcum LLP for annual audit report
- Outdoor Water Use Restrictions Effective 9/11/24
- Fall Flushing Program
- Distinguished Public Involvement Award

OLD BUSINESS:

- Per- and Polyfluoroalkyl Substances (PFAS)
- Current sample data, if available
- Discussion of Additional PFAS Upgrades
- Kelley's Corner Project
- US EPA Lead & Copper Rule Improvements

Present at Tonight's Meeting:

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

District Manager: Matt Mostoller

District Treasurer: Christine McCarthy

Members of the Public: Renee Davis (Marcum LLP), Laura Stone (Marcum LLP), Allison Jones

START OF MINUTES

Mr. Rosen opened the meeting at 7:01 pm

Mr. Rosen moved up the Marcum LLP Annual Audit Report agenda item.

Representatives of Marcum LLP for annual audit report

Ms. Renee Davis and Ms. Laura Stone introduced themselves to the board. Ms. Stone then began a high-level review of the District's statements. Ms. Stone reported it was a very smooth audit that showed no significant deficiencies and no material adjustments to the ledgers.

Ms. Stone reviewed the contents of the audit including but not limited to the Audit Opinion, financial statements associated with short term debt activity, land acquisition, and the new PFAS filtration lease obligation. She reviewed the interim loans from the Clean Water Trust for the North Acton Treatment Plant and the associated principal forgiveness.

Ms. Stone reviewed the financial statements regarding the fiduciary fund, with the only new detail being the PFAS filtration lease, everything else was consistent. Moving on to required supplementary information, Ms. Stone covered the 10-year trends for pension Liability and OPEB obligations. She noted the OPEB obligation liabilities were larger than the total OPEB assets this year likely because of the updated discount rate used in the most recent actuarial valuation and the District's drawing on the fund for retiree health insurance payments. She noted the OPEB Trust is still 77% funded and is in good shape.

Ms. Stone reviewed the budget schedule for capital reserve, and balances for individual projects funded from free cash. Last year the District had asked if the audit report could include a 3-year trend schedule which is included in this report for general funds.

Ms. Stone wrapped up her review of the report noting that this is still in draft form so some small changes may be expected but nothing that would change the bottom line, net position or balance

Mr. Rosen asked Mr. Mostoller if the \$4.9 million spent on Center Acton property relieves the District of their Article 97 obligations going forward. Mr. Mostoller responded yes but those funds have not been transferred yet. Mr. Stuntz asked where the funds will be sent to. Ms. McCarthy responded that they will be used to pay down what is owed on short term note.

The Board thanked Ms. Stone and Ms. Davis for their time and efforts in crafting this report.

Comments from the public

None at this time.

Approve minutes from the meetings of 9/9 and 9/18

Mr. Stuntz motioned to approve the minutes from the 9/9/24 meeting. Ms. Amir Lin seconded the motion, and it was unanimously approved via a roll call vote; Mr. Stuntz, Ms. Amir Lin, Mr. Rosen.

Ms. Amir Lin motioned to approve the minutes from the 9/18/24 meeting. Mr. Stuntz seconded, and it was approved via a roll call vote; Ms. Amir Lin, Mr. Stunts. Mr. Rosen abstained.

Appoint one Commissioner to sign warrants while conducting meetings virtually

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

NEW BUSINESS:

Outdoor Water Use Restrictions Effective 9/11/24

Mr. Mostoller informed the board that as of 9/11/24 the District was required to increase the outdoor non-essential water use restriction due to low flow conditions at Nashoba Brook in North Acton. By September 11 the brook experienced three days below the trigger point. The rain this past weekend brought discharge above the limit but the restrictions need to stay in place for seven consecutive days. They will be watching the trend over the coming week as they hopefully get more rain.

Mr. Stuntz asked if the restriction would go back to two days a week. Mr. Mostoller responded that it would likely be a full lift of the restriction. Ms. Amir Lin asked about the period of the restriction. Mr. Mostoller explained the District's usual seasonal restrictions end on October first and it is unclear if the low flow restriction would be lifted before or after the seasonal restriction is set to expire.

Mr. Mostoller pointed out a trend on the graph that leads him to believe that there may be direct drafting by an upstream user. Mr. Rosen asked if they could choose a different point of measurement. Mr. Mostoller responded that they can change the gage location during an amendment to the permit. They may revisit this issue in the future.

Fall Flushing Program

Mr. Mostoller informed the board they plan to start Fall Flushing on October 2, focusing on South Acton, south of Route 2 and east of Main St. This is likely to be a truncated flushing program. Due to the outdoor water use restriction in place the District is working to balance their own water use while still getting field work done and contending with competing staffing priorities.

Distinguished Public Involvement Award

Mr. Mostoller informed the board that he was recognized with the New England Water Works Association (NEWWA) Distinguished Public Involvement Award for his leadership and commitment to public relations and outreach to the community. This award is given by peers within the profession in New England. More specifically the award noted his work on PFAS outreach, Conservation, getting more people into the profession, and advocating at the state level for things that would benefit the water works community.

While this award was given to Mr. Mostoller, he noted that it would not be possible without the supportive environment of the District, and the continued organizational support of public outreach efforts. The Board congratulated Mr. Mostoller on his well-deserved recognition and thanked him for his continued work on behalf of the District.

OLD BUSINESS:

Per- and Polyfluoroalkyl Substances (PFAS)

Current sample data, if available

Mr. Mostoller reported that North and South Acton plants were sampled on September 11. North Acton continues to be non-detect while South Acton sampled at 14ppt. They will increase the frequency of testing at North Acton to better understand the treatment process. Center Acton will be sampled on Wednesday September 25. All three plants are currently in use. Mr. Mostoller noted that demand is up due to the recent dry spell. They are also trying to fill the storage tanks prior to flushing.

Discussion of Additional PFAS Upgrades

Mr. Mostoller informed the board that the contractor for the South Acton project did mobilize to the site at the end of last week and has begun sitework. Things on that project are slowly starting to move forward.

Kelley's Corner Project

This project hit a milestone today, the final connection of the eastern terminus at Mass. Ave. by Route 2 was made. They connected the old piping to the new. Only one final piece is left to do on that segment which is to connect the main that runs through Roche Brothers and behind Not Your Average Joe's to Main Street. The contractor has been doing a lot of night work to get water services switched with minimal disturbances to commercial, institutional, and residential neighbors, which has required a lot of coordination.

Later this week they expect the connection by Roche Brothers to be finished. This location has been tricky due to the extra height of the parking lot which has resulted in extra digging to safely complete the work. The northern stretch from Main Street to Acton Medial is the major outstanding area of water work to be completed. Mr. Stuntz asked if this project includes new hydrants, to which Mr. Mostoller affirmed there will be a few but some of the landscaping plans have changed requiring changes to the height of the hydrants.

US EPA Lead & Copper Rule Improvements

Mr. Mostoller noted that with the departure of Ms. Wahlstrom there was an adjustment to picking up the work. With the October 16th deadline looming, this project has taken precedent to get the inventory to pass validation. They continue to make progress on field work. Ms. Wahlstrom was very diligent and hands on with the public notice aspect, however with her departure and the impending deadline they have not been able to keep up the same level of notice. Mr. Mostoller informed the board that if they hear from customers, they do apologize as they are trying to get a lot of work done as quickly as possible. Much of the work is in the public right of way where they are not required to give notice.

Another aspect of this project is the push to get certain homeowners to provide information on the materials in their homes. MassDEP has an app where homeowners can take a picture of their private line and share that information with the District. Due to unresponsiveness Mr. Mostoller is considering financial incentives for people to respond to this request. The incentives would be an abatement or rebate of the service fee if the customer does the self-check option. Mr. Mostoller noted there is some cost to doing this, but he believes it will be substantially less than if the District's inventory were incomplete, and they were required to provide filters and public notice. He asked the board for their input on this idea.

Mr. Stuntz asked how other communities are doing with this requirement. Mr. Mostoller responded that it seems every utility has been 'all hands-on deck' to get the work done for this, and others have offered financial incentives or sent people door to door. Currently

they have about 3,000 unknown service materials that have a good assumption of being copper or plastic. There are others based on partial records or age that have a higher likelihood of having a lead gooseneck.

Ms. Amir Lin stated it seems good to incentivize those who they've been trying to contact for a while. Mr. Rosen asked if they don't answer what the next step is. Mr. Mostoller responded that they can revisit the property during meter replacement.

Mr. Mostoller clarified that they have several years to complete all the work but the more they get done before the October 16th deadline, which is when new requirements of the rule activate, then the better off the District is from an administrative and outreach perspective. The board continued its discussion on the topic

The board expressed support for the financial incentive Mr. Mostoller suggested.

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

Meeting closed at 7:46 pm