

Board of Water Commissioners  
Meeting Minutes  
Acton Water District  
693 Massachusetts Avenue, Acton, MA  
Monday, September 27, 2021

**AGENDA**

- A. Comments from the Public
- B. Approve minutes from meeting of 9/13 & 9/17
- C. Appoint one Commissioner to approve warrants while conducting meetings virtually

**D. OLD BUSINESS**

- 1. Update on Per- and Poly-Fluoroalkyl Substances (PFAS).
  - Current sample data, if available
  - Any updates or discussion from PFAS Working Group
- 2. Kelly's Corner Construction Discussion
- 3. Update on the Assabet #3 Well Project
- 4. Update on the Central Acton Water Treatment Plant (CAWTP) Project

**E. NEW BUSINESS:**

- 1. Fall Water Main Flushing in North Acton Beginning on Monday, October 4, 2021

**Present at Tonight's Meeting:**

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

District Manager: Chris Allen

District Treasurer: Mary Jo Bates

District Counsel: Mary Bassett

Environmental Manager: Matthew Mostoller

Commissioners Secretary: Lynn Protasowicki

Finance Committee: Chuck Bradley

**Public Attendees:**

Kim Kastens

Ron Parenti

Danny Factor

Terra Friedrichs

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. The meeting was called to order at 7:00 PM on Monday, September 27, 2021 by Mr. Barry Rosen.

**A. Comments from the Public**

The following is Danny Factor's statement that he read to Commissioners.

I live at Briarbrook Village, 11 Davis Rd. unit A5, a condo which I own. I'm a former long-time member of the Acton Commission on Disabilities, a member of the Board of Directors of Green Acton, and I also currently sit on the Group Operations Committee of a new Acton organization that seeks to organize Acton apartment dwellers in order to address member concerns (we have over 100 members so far) which ranges from needs to lower rent and utility costs to addressing other quality of life issues including apartment dwellers' right to a clean environment.

I am also a public interest attorney who represents low-income Actonians and other Massachusetts residents in a number of areas from housing, to work related issues to helping them receive public benefits. Through my work in these committees and groups, and in my profession, I am familiar with the fact that many low-income individuals and families reside in Acton who require accommodation when it comes to paying regular expenses.

Because of my interest and work with low-income members of our community, I was particularly pleased to hear that the AWD has devised a number of possible strategies for making the AWD debt fee, or future debt fee increases, less burdensome to low-income and/or small water-usage town residents. I wanted to let you know how much your work is appreciated.

Low-income people of Acton have a voice that sometimes is not heard loud enough. One of the responsibilities of all of our municipal districts is to craft policy with as much input from stakeholders as possible. This is not always an easy task to accomplish given all the work that a district does, as an example the AWD which has been enmeshed this year in a number of projects and dealing with all of the ramifications of the pandemic. Given your workload and yet the need to receive enough input from low-income Acton stakeholders in regard to a fair plan to design the debt fee, I wanted to offer you my assistance in the following way.

To the degree that the AWD will accept feedback from the low-income community in regard to a fair solution for the debt fee. I would be willing to either:

1. Help the AWD organize a simple public hearing/educational session in which in particular low-income individuals who are impacted by the debt fee can attend and give the AWD feedback.
2. In lieu of a formal public forum I would be willing to use my contacts within the new apartment dwellers group. The Acton Council on Aging and the Acton Commission on Disabilities to collect comments from low-income individuals regarding debt fee solutions to provide the AWD feedback.

Whatever the AWD decides, I ask that the AWD make no decision about the debt fee unless it hears fully enough from low-income Actonians themselves as far as which plan is the fairest and most effective plan to serve low-income water users. Whichever path you should choose to obtain this feedback, such as the two in which I suggested this evening, or another, know that I and others in our community are ready to assist you in your efforts to reach out to low-income stakeholders in Acton to serve their needs. Know that I and others in our community are available to help.

Ms. Amir-Lin stated that she does intend to follow the Group Operations Committee for personal and civic interest.

Mr. Stuntz stated that he thinks it's great. We need the help. We have struggled with it for a while. It's going to be complex. He appreciates that Danny will bring a focus to it and help resolve the best way.

Danny Factor will email the Commissioners the comments he made this evening for feedback from Commissioners. He is happy to help in anyway.

Mr. Rosen stated that we have discussed this. We have a finance committee who is looking at it continuously. We are trying to balance the aid we can provide with the balance of the lenders when we took the loans out with them.

Terra Friedrichs – she is in support of this work and so glad that she heard of this from other people that the District is working on a fair and just solution. She's been helping with the Apartment Dwellers Group. She has not had a chance to look at the proposed rates. She wonders if (a) there be a level of water usage to be considered a right and that to be priced low and the rest of it be pushed to luxury water users (b) Landlords are making a profit on Acton Water – they are marking it up and charging their tenants. Does the District have any authority over stopping that from happening? Mr. Allen stated that they are allowed to sub-meter as long as it is clearly defined in tenant lease. District Counsel Bassett suggested that the District should not get into any private agreements between landlords and tenants.

#### **B. Approve Minutes from Meeting of 9/13 & 9/17**

Mr. Rosen motioned to approve the minutes of September 13, 2021. Mr. Stuntz seconded the motion, and it was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, and Mr. Rosen.

Mr. Stuntz motioned to approve the minutes of September 17, 2021. Ms. Amir-Lin seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Ms. Amir-Lin, and Mr. Rosen.

#### **C. Appoint One Commissioner to Approve Warrants While Conducting Meetings Virtually**

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

#### **D. OLD BUSINESS**

##### 1. Update on Per- and Poly-Fluoroalkyl Substances (PFAS).

- Current sample data, if available
- Any updates or discussion from PFAS Working Group
- American Rescue Plan (ARPA) Acton PFAS Mitigation Status

Mr. Mostoller stated that for the month of September we have results for South Acton Water Treatment Plant and the Clapp-Whitcomb wells. Clapp-Whitcomb continues to be non-detect and the carbon continues to adequately remove PFAS. In South Acton, the levels are at 17.6 PPT which continues to be in compliance with the State's standard. Samples were collected last week for North Acton. The September samples for Conant I got stranded in Memphis thanks to FedEx so, due to the time delay and temperature of the samples, those were invalidated. We plan to resample tomorrow.

Public Notice Update - we will be sending out a public notice starting at the end of this week to notify customers that during the second quarter results (April, May and June) that the North Acton facility exceeded the 20 PPT. Currently North Acton is not serving water to customers.

PFAS Working Group – haven't met for a couple weeks and are planning to meet this Thursday. There are 25 applications for bottle water rebates. He is still working on a field trip to Hudson to observe their operating PFAS filtration systems.

ARPA – Barry Rosen stated that last Monday he presented to Acton Selectboard. The feedback he received from the board was an excellent presentation. Barry explained what PFAS is at a high level. One of the Selectboard members stated that they didn't know about this and it is now on his radar. The next opportunity to discuss is on October 4<sup>th</sup> and they will begin deliberating this. He received a letter from Christine Russell, Chair of Acton Finance Committee. She asked if someone could appear in person before the Acton Finance Committee and answer questions. His intent is to attend the meeting tomorrow night.

### 2. Kelly's Corner Construction Discussion

The Town has allocated \$100,000 of the American Rescue Plan (ARPA) Act funds to subsidize construction. The predicted cost of the project is \$2-million, and it's anticipated that it will go out for bid in the spring of 2022.

Barry Rosen stated that the Selectboard is open to hearing more about Kelly's Corner, which they aren't aware of. Mr. Rosen let them know that the plan was for the District to move pipes and install new pipes while this project is being worked on by the state. Mr. Rosen needs to go back and see if they would put that in the bid and take some of the responsibility so that the District does not have to take so much of the maintenance and pipe replacement throughout the year. Mr. Allen stated that any help in funding the project is welcome.

### 3. Update on the Assabet #3 Well Project

Mr. Allen stated that the District appropriated money for this project back at the 2021 Annual Meeting as part of our PFAS response strategy. It will be connected to South Acton Water Treatment Plant (SAWTP) as part of our PFAS remediation strategy. The application has been submitted to Mass DEP. Things are moving along on schedule to date.

### 4. Update on the Central Acton Water Treatment Plant (CAWTP) Project

Mr. Allen stated that EverSource will be on site October 6<sup>th</sup> to retire old service for Conant II. Because of these delays we are planning to turn Conant I over to contractor on October 8<sup>th</sup>. We are hoping by the end of this year to have the plant permitted and in commissioned.

### **Other Old Business:**

Mr. Allen stated that the developer of 40B at 516 Mass Ave. has requested to meet with the Board. The Commissioners sent a letter to the Acton Community Housing Corporation (ACHC), and that prompted developer to reach out and would like to meet with the Board on October 18<sup>th</sup>. Chris asked the developer to provide him with any relevant information for Commissioners before the meeting. Would the Commissioners like to meet with him on October 18<sup>th</sup>? Chris laid out their concerns to him again about this project, but the developer would still like to speak with the Commissioners. The Commissioners would just like to get his concerns prior to the meeting to review.

### **E. NEW BUSINESS:**

#### 1. Fall Water Main Flushing in North Acton Beginning on Monday, October 4, 2021

Commence flushing on October 4<sup>th</sup>; Monday through Thursday 8AM-8PM. It's been a couple years to flushing this area. There is a potential of sediment which will cause discoloration in the water. We will address any chronic problems that arise, and areas of chronic quality complaints during this timeframe.

*Mr. Stuntz motioned to adjourn open meeting at 7:55 PM. Ms. Amir-Lin seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Ms. Amir-Lin, and Mr. Rosen.*