



# Water Supply District of Acton

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Board of Water Commissioners

Meeting Agenda

Monday, January 24, 2022 @ 7:00 PM

**Due to the COVID-19 Pandemic, meetings are being held virtually via Zoom**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87135608228>

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Webinar ID: 871 3560 8228

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- Comments from the Public
- Approve minutes from the meeting of 1/10/22
- Appoint one Commissioner to approve warrants while conducting meetings virtually
- Introduction of new employee—Alexandra Wahlstrom, Environmental Analyst

## **OLD BUSINESS:**

- Per- and Poly-Fluoroalkyl Substances (PFAS)
  - Current sample data, if available
- Review and approval of Fiscal Year 2023 (FY '23) Budget
- Review of 2022 Annual Meeting Warrant Articles
- Follow-up discussion of scheduling the Annual District Meeting
- Commissioners Annual Report for 2021

## **NEW BUSINESS:**

***Any agenda item(s) which did not come to the attention of the Board of Water Commissioners 48 hours prior to this meeting and were not reasonably anticipated***

Board of Water Commissioners  
Meeting Minutes  
Acton Water District  
693 Massachusetts Avenue, Acton, MA  
Monday, January 10, 2022

**AGENDA**

- A. Comments from the Public
- B. Approve minutes from the meeting of 12/20/21
- C. Appoint one Commissioner to approve warrants while conducting meetings virtually

**D. OLD BUSINESS:**

- 1. Per- and Poly-Fluoroalkyl Substances (PFAS)
  - Current sample data, if available
  - Discussion of development of a PFAS Action Plan
- 2. Review of Draft Budget and Warrant for Fiscal Year 2023 (FY '23)
- 3. Follow-up discussion of scheduling the Annual District Meeting
- 4. Request from Friends of Gardner Field for a Drinking Fountain/Bottle filling station

**E. NEW BUSINESS:**

- 1. Review and approve the Notice of Award to N. Granese & Sons for the Assabet #3 well project
- 2. Commissioners Annual Report for 2021
- 3. Selection of new Auditor

**EXECUTIVE SESSION:** -- To consider the purchase, exchange, lease of real property as an open meeting may have a detrimental effect on the negotiating

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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, January 10, 2022 by Mr. Barry Rosen.

**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: Ron Parenti, Bill Guthlein

**Public Attendees:**

Kim Kastens

**A. Comments from the Public**

No comments this evening.

**B. Approve Minutes from the Meeting of 12/20/21**

Mr. Rosen motioned to approve the minutes of December 20, 2021. Mr. Stuntz seconded the motion, and it was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, 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. Per- and Poly-Fluoroalkyl Substances (PFAS)

- Current sample data, if available
- Discussion of development of a PFAS Action Plan

Mr. Allen provided an update. He stated that the last samples from the NAWTP were 17.2 PPT and 16.4 PPT for SAWTP. Only two plants are currently available to serve water. SAWTP is the only treatment plant supplying water to all customers at this time.

Mr. Mostoller stated that the North Acton for 4<sup>th</sup> quarter, our average was 16.5 PPT and we are down significantly from beginning of the year. Sending out a notice to the public talking about 3<sup>rd</sup> quarter violation and will include the information about 4<sup>th</sup> quarter samples meeting the standard at the North Acton site.

Barry Rosen: do we know when and which wells/plants will be sampled in January? Matt: not at this time. We sampled SA this morning for our January round. We anticipate sampling North Acton this week or next week when it returns to service. It is unclear if Clapp/Whitcomb will be back in service once the carbon media is changed and preconditioning is complete. Both Conant wells are currently offline pending final approval from the state for the Central Acton Water Treatment Plant, which is close to 100% complete.

PFAS Acton Plan – Mr. Rosen stated that in our last discussion Matt stated that customers are looking for actions so based upon those discussions at our last open meeting we would continue our discussions on an action plan.

Mr. Stuntz put together a spreadsheet (included in the packets) showing all our issues which he shared. We should ask Finance Committee to look at rent vs purchasing at new treatment plant. He asked Mary Jo the following: what is added to the capital fee for every million dollars of capital improvement? It's about \$113 per year per user. And he also asked her if the capital costs were added to water rates what would the water rates do...they are surprisingly similar.

Mr. Stuntz suggests getting two pilot tests done; put the rentals in; then move to build plants.

Erika Amir-Lin asked Steve about the South Acton treatment plant. What are those numbers? Steve responded we had the projected numbers for the treatment plant at North Acton. Mr. Allen stated that was the number we were approved for a loan through the MA State Revolving Fund, \$6.7 million for permanent installation of both Granular Activated Carbon (GAC) and Ion Exchange (IX). Ms. Amir-Lin asked where do the Clapp Whitcomb wells in W. Acton fit into the plan? Steve said since it has been non-detect he didn't fit that into this spreadsheet. Erika stated that her concern is that it was not designed to remove PFAS that is a side benefit we are getting from the current carbon system. There is a possibility that this plant will come under scrutiny to be specifically designed to treat PFAS along with what is being currently treated there. She thinks we should price out refitting or adding on to West Acton. Based upon some discussion, Mr. Mostoller stated it could be around \$10 million.

Barry Rosen stated that he is uncomfortable doing any permanent installations now because (1) the regulations for PFAS could change and we don't know if other contaminants will be regulated and (2) the District really needs to consider at least one additional source and is thinking that MWRA might be a viable source. Before we make any decisions we should find out more about connecting to MWRA. We should have WLMAC look into this for us. He is uncomfortable picking a solution tonight.

Mr. Stuntz stated that the MWRA solution is 5-10 years out to get water from them. So, what do we do in the short-term. That would push us to do the rental. But we need to find out if MWRA is willing to sell us water. He agrees that WLMAC should go out and do the research on connecting to MWRA.

Mr. Rosen stated that we should move ahead with a solution as quickly as we can with installing the rental treatment trailer and retrofitting the North Acton plant. Ms. Amir-Lin: she agrees with that, but we should still pilot PFAS removal technology for the Acton Center and South Acton plants. And we should appropriate money for those two pilots. Mr. Stuntz: agrees with pilot tests and looking at it carefully to rent or do a permanent plant.

Ron Parenti: wants to understand the chart that is being shown – just confirming that for North Acton the cost is \$6.7 million for permanent installation and the \$500-700k is for rental. Mr. Stuntz confirmed that is correct. Ron shares Barry's concerns with change in future with regards to emerging contaminants and the possibility that Acton will need to add more treatment and the impact that will have on future expenses. He believes that it is useful to look at MWRA as a viable option. And the table/spreadsheet should be sent to FinCom.

#### Proposal for Action:

Ms. Amir-Lin: would like to see a warrant article drafted for pilot test costs and a discussion for temporary PFAS treatment in North Acton.

Mr. Allen: would suggest that the warrant article be more general in terms of a "pool of money to mitigate PFAS within the District well sites as needed".

Steve Stuntz: how long does it take for the rentals to be installed and online versus building a permanent plant? Mr. Allen stated that the permanent infrastructure would have to be installed and the availability of the system would be contingent upon that which he does not know as he has not spoken to Suez representative in a few months. Mr. Stuntz that would be part of the decision process is the length of time it would take for a rental versus a permanent. Do we know how long it would take to build the \$6.7 million plant. Mr. Allen stated that the town allocated \$450K of American Rescue Plan (ARPA) Act funds which was for the design of the permanent North Acton system and then go to bid and construction would be based upon availability of materials. Mr. Stuntz suggests having Chris get timelines for permanent and the rental so that we have the information to help with decisions.

Mr. Allen: when he spoke with Hudson they had an easier path to connect to MWRA but they decided to not connect with them because of the expense. Acton doesn't have that proximity connection to MWRA like Bedford and Lexington has. Mr. Rosen was wondering if there are any cost sharers like Maynard, Stow or Boxborough who want to get water from MWRA.

Kim Kastens: she wasn't clear on the \$450K of ARPA funds allocated by the Town for the design of the North Acton plant that as it sounded like the money was for a permanent build but can it be reallocated for a temporary plant? Mr. Allen responded that he is not sure of what the limitations are on that. He knows that the Town stated it was for PFAS at the NAWTP. In the discussions they stated design of a full scale plant. And, Ms. Kastens suggests that there should be a lot more detail on these warrant articles so that voters know what the money is going to be used for. Mary Bassett stated that we put the warrant

article for the amount of money we are asking for and then the Commissioner who is presenting it would go into detail explaining the goal of how the money will be used.

Final proposal would be to have two separate warrant articles (one for two pilots and one for treatment).

## 2. Review of Draft Budget and Warrant for Fiscal Year 2023 (FY '23)

Mr. Allen stated that enclosed in the Commissioners packets is the draft budget which contains the six month actual expenses. We can continue to discuss and work up to approval for presentation at the annual meeting. Otherwise, there've been no changes since last discussion.

### Discussion of Warrant Articles

Barry Rosen: the \$35K that we allocated for the rate study he is not sure he feels good about having it done now. With what we are going to have to allocate (making significant capital investments), he suggests holding off on that right now. Mary Bassett: we don't have a good handle on the long term debt so it probably is not a good time to do a rate study. Mr. Stuntz agrees with Barry.

Mr. Rosen: Do we have to do the master plan study? Chris Allen: no it is done by practice. We create a 10 year plan and update it every 5 years. Mr. Rosen stated that we are looking to do the rate study and master plan update with all this fluidity around us. Mr. Allen stated that the master plan is going to have an in-depth examination of PFAS, MWRA, and climate change.

Erika Amir-Lin: good time to do a master plan update but could see pushing off the rate study for another year. We might get master plan update that guides us into a rate study that might be more robust then we would have undertaken otherwise. Steve and Barry: agree with Erika and hold off on the rate study.

Kim Kastens: stated her comments are on the master plan update – she is pleased to hear that climate change is in there. She is advocating for having a public input process for the master plan. That has become the norm with the town.

Bill Guthlein: stated that the rate study is more necessary than ever. There are two issues we are trying to resolve with the rate study: (1) debate between volume rates based on water use and the current system which treats debt cost as a fixed expense.(2) how we best set summer high seasonal use rates vs average use rates and the issue being that we may not charging enough for wells, treatment to deal with those peak volumes. As things get progressively more concerning with the capital expenses he sees the rate study as bine more urgent not less. He respectively disagrees with the deferring of the rate study.

Ron Parenti: regarding the rate study he has begun doing that analysis and developed a model that fits the usage distribution pretty well and has asked Mary Jo Bates to give him some more data so that he can look at summer versus winter distributions. He has the mathematical tools to pursue the study that you are talking about. Once the models have been developed for usage we can try different billings schemes and how they play against one another.

Kim Kastens: her question is towards the rate study plan – Barry made the important point that any new rate allocation would have a cut off between the old debt and the new debt. Would the \$1M of borrowing for Kelley's Corner plus the \$1.2M of borrowing PFAS, be new debt or old debt? Would it fall under of the existing rate scheme or be eligible for a new rate scheme that would come out of thinking of rates. Steve: it comes under new. Kim: but we don't have a new plan yet. Steve: he is encouraged that Ron is working on it and it will show us all sorts of things.

## 3. Follow-up Discussion of Scheduling the Annual District Meeting

Mr. Stuntz stated that he wants to move forward with the March date. Mr. Rosen stated that he is not comfortable with a March meeting based upon where we are at with the pandemic.

Mr. Allen stated that we need to make a decision at the February open meeting. The Commissioners are comfortable with waiting until February to make the final decision.

4. Request from Friends of Gardner Field for a Drinking Fountain/Bottle filling station

Mr. Allen stated that we were unable to meet with the contact so we will continue that item to a future meeting.

**E. NEW BUSINESS:**

1. Review and Approve the Notice of Award to N. Granese & Sons for the Assabet #3 Well Project

Enclosed is the recommendation of award from Wright-Pierce.

Mr. Stuntz moved to approve the Notice to Award to N. Granese & Sons for \$787,560 for the Assabet #3 Well project. Ms. Amir-Lin seconded the motion and it was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, and Mr. Rosen.

2. Commissioners Annual Report for 2021

Barry Rosen is working on it and will send his draft to Chris who will then gather comments from the other Commissioners. The Board usually approves the report at the second meeting in January.

3. Selection of New Auditor

Mary Jo Bates stated that as of June 20, 2021 Maureen Mara was ending her time as our District auditor. In order to facilitate a new auditor, we solicited five firms by Request for Proposal (RFP), and two firms submitted proposals. After interviewing them last week, I recommend we hire Powers & Sullivan for a three-year term at \$16,000/year. They are the auditors for the Town of Acton and the Acton-Boxborough School District.

Mr. Rosen moved to accept Mary Jo Bates recommendation to hire Powers & Sullivan as the Acton Water District auditor for a three year term at \$16,000/year. Mr. Stuntz seconded and was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, and Mr. Rosen.

*Mr. Rosen motioned to adjourn the open meeting at 8:48 PM. Ms. Amir-Lin seconded the motion and it was approved unanimously by a roll call vote: Mr. Stuntz, Ms. Amir-Lin, and Mr. Rosen. Mr. Rosen moved to enter into Executive Session at 8:49 PM to discuss the purchase, exchange, lease of real property as an open meeting may have a detrimental effect on the negotiating position of the District.*

<b>FY 2023 Budget and Estimated Revenue</b>				
	<b>Actual FY 21</b>	<b>Budget FY 22</b>	<b>6 month actual</b>	<b>Budget FY 23</b>
<b>EXPENSES</b>				
Audit/Accounting	17,500	19,000	17,800	22,000
Auto Maint & Fuel	46,943	50,000	18,080	52,000
Short Term Debt	508,223	505,000	505,000	216,550
Long Term Debt	1,480,767	1,632,955	590,758	1,852,593
Chemicals	75,000	100,000	31,456	120,000
DEP Withdrawal	5,100	6,000		5,600
Employee Education	11,759	17,500	5,867	17,500
Engineering	54,948	50,000	14,409	50,000
Health/Life Insurance	314,660	286,000	134,338	320,000
Information Reports	29,430	45,000	26,628	45,000
Insurance	86,718	95,000	93,476	110,000
Laboratory Analysis	60,000	80,000	35,311	100,000
Legal	54,060	65,000	20,376	75,000
Lights/Power/Fuel	390,000	390,000	179,384	350,000
Maintenance & Operations	460,239	411,000	171,186	471,000
Middlesex Retirement	256,971	268,502	268,502	293,362
Meters	59,304	75,000	3,047	75,000
Office Supplies	76,361	79,000	35,999	92,000
Reserve Fund		100,000		100,000
Salaries & Wages	1,401,658	1,550,150	756,084	1,677,658
<b>Total</b>	<b>5,389,641</b>	<b>5,825,107</b>	<b>2,907,701</b>	<b>6,045,263</b>
<b>REVENUE</b>				
Water Revenue	2,826,537	2,422,792	1,627,499	2,439,473
Service Fee	528,960	525,360	264,480	528,960
Debt Fee	2,115,840	2,137,955	1,057,920	2,115,840
<b>Total Water Revenue</b>	<b>5,471,337</b>	<b>5,086,107</b>	<b>2,949,899</b>	<b>5,084,273</b>
Fire Protection Sprinklers	40,420	40,000	41,107	40,420
Rent/Lease	149,500	250,000	60,535	446,570
Repairs/Installation	79,353	50,000	24,940	50,000
Cross Connection	21,341	24,000	9,509	24,000
Demand Fees	145,360	300,000	533,300	300,000
Mitigation Fees	25,514	75,000	97,425	100,000
<b>Total Other Revenue</b>	<b>461,488</b>	<b>739,000</b>	<b>766,816</b>	<b>960,990</b>
<b>Total</b>	<b>5,932,825</b>	<b>5,825,107</b>	<b>3,716,715</b>	<b>6,045,263</b>

COMMONWEALTH OF MASSACHUSETTS  
Middlesex, ss.

To the Clerk of the Water Supply District of Acton, GREETINGS:

You are directed to notify the inhabitants of the Town of Acton who are qualified to vote in elections and town affairs, to assemble at their precinct:

*All Precincts voting at Blanchard Auditorium  
R.J. Grey Junior High School  
16 Charter Road  
Acton, Massachusetts*

On Tuesday, March 29, 2022  
Between 7:00 A.M. and 8:00 P.M.

Then and there to bring their votes on one ballot for the following officers:

**Commissioner for three years**

You are further directed to notify the legal voters of the Town of Acton, as aforesaid, to assemble at:

**Acton Water District Main Office  
693 Massachusetts Avenue  
Acton, Massachusetts 01720**

**On Wednesday, March 16, 2022  
6:00 PM.**

**Then and there to Act on the following Articles:**



**Article 1.** To fix salaries of the elected officials.

**Article 2.** To act on the reports of the Commissioners, the Treasurer and other officers and committees of the District.

**Article 3.** To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners, to borrow in anticipation of the revenue of the fiscal year beginning July 1, 2021 in accordance with the provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of the General Laws, Chapter 44, Section 17, or to take any other action relative thereto.

**Article 4.** To see what sums of money the District will vote to raise and appropriate to defray the usual expenses of the District.

**Article 5.** To see if the District will vote, pursuant to Massachusetts General Laws c.44, §53E½, to establish a \$100,000 limitation on expenditures from the revolving fund captioned "District Revolving Fund for Mitigation," or to take any other action relative thereto.

**Article 6.** To see if the District will vote to transfer from Grace Stabilization Fund (W.R. Grace settlement) the sum of \$125,000 for the maintenance and repair of the various treatment facilities including, but not limited to, media replacement in the filtration tanks, aeration tower repair, and replacement of packing material or to take any other action relative thereto.

2/3 vote

**Article 7.** To see if the District will vote to transfer from Surplus Revenue the sum of \$100,000 to clean and rehabilitate existing wells throughout the District or to take any other action relative thereto.

**Article 8.** To see if the District will vote to transfer from Surplus Revenue the sum of \$40,000 for the purpose of replacing old water mains, renewing old water services, replacing old fire hydrants or to take any other action relative thereto.

**Article 9.** To see if the District will vote to transfer from Surplus Revenue the sum of \$30,000 for the purpose of repairing emergency water main breaks or to take any other action relative thereto.

**Article 10.** To see if the District will vote to transfer from Surplus Revenue the sum of \$130,000 for the replacement of filtration media at the District's water treatment plants or to take any other action relative thereto.

**Article 11.** To see if the District will vote to transfer from Surplus Revenue the sum of \$100,000 for the management of the North Acton Water Treatment Plant filtration residuals or to take any other action relative thereto.

**Article 12.** To see if the District will vote to transfer from Surplus Revenue the sum of \$65,000 to engage the District's Engineering Consultant to update the District's Master Plan or to take any other action relative thereto.

**Article 13.** To see if the District will vote to authorize the Commissioners to enter into an amendment to the District's solar leases located at Knox Trail and Lawsbrook Road in Acton to include

therein an additional 5-year option to extend, for a total term of thirty-five (35) years, for use of a ground-mount solar photovoltaic system and associated equipment and materials on land owned by the District or to take any other action relative thereto.

**Article 14.** To see if the District will vote to transfer from Surplus Revenue the sum of \$500,000 for improvements to the District's water system and water mains in Acton or to take any other action relative thereto.

**Article 15.** To see if the District will vote to appropriate the sum of \$1,000,000 for the engineering, construction and other costs associated with the watermain improvement and replacement project at Kelly's Corner and that to meet this appropriation, the Treasurer, with the approval of the Water Commissioners, is authorize to borrow the sum of \$1,000,000 under General Laws, Chapter 44, Sec. 8, or another enabling authority and the Board of Water Commissioners is authorized to take any other action necessary to carry out this project or to take any other action relative thereto.

2/3's vote

**Article 16.** To see if the District will vote to appropriate from Grace Stabilization Fund (W.R. Grace settlement) the sum of \$400,000 for the piloting of filtration technology for the removal of Per- and Polyfluoroalkyl Substances (PFAS) at the District's Central and South Acton Water Treatment Plants or to take any other action relative thereto.

2/3's vote

**Article 17.** To see if the District will vote to appropriate the sum of \$1,000,000 for costs associated with construction of modifications to the permanent infrastructure at the North Acton Treatment Plant to accommodate installation of a temporary PFAS treatment system and that to meet this appropriation, the Treasurer, with the approval of the Water Commissioners, is authorize to borrow the sum of \$1,000,000 under General Laws, Chapter 44, Sec. 8 and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; and that such bonds or notes shall be general obligations of the District unless the Treasurer with the approval of the Board of Water Commissioners determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; and that the Treasurer with the approval of the Board of Water Commissioners be authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78 and in connection therewith to enter into a loan agreement and/or security agreement with the Massachusetts Clean Water Trust and otherwise to contract with the Massachusetts Clean Water Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof and that the Board of Water Commissioners be authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project or to take any other action relative thereto.

2/3's vote

Hereof fail not and make due returns of this Warrant with your doings thereon to the Water Commissioners on or before the time of holding of said meeting.

Given under our hand this     day of     in the year two thousand and twenty-two.

Barry Rosen  
Stephen C. Stuntz  
Erika Amir-Lin, Water Commissioners

A true copy. ATTEST:

William T. Stanford  
District Clerk

DRAFT