



# Water Supply District of Acton

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## Board of Water Commissioners

### Meeting Agenda

Monday, March 8, 2021 @ 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/89613862410>

Or iPhone one-tap :

US: +13017158592,,89613862410# or +13126266799,,89613862410#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or  
+1 669 900 6833

Webinar ID: 896 1386 2410

International numbers available: <https://us02web.zoom.us/j/89613862410>

- **Comments from Citizens**
- **Approve minutes from meeting of 2/22**
- **Appoint one Commissioner to approve warrants while conducting meetings virtually**

### **OLD BUSINESS:**

- Review and approve the land lease with EDF Renewables for the Ground-mount Solar array on District property off Lawsbrook Road
- Update on Per- and Poly-Fluoroalkyl Substances (PFAS)
- Update on the Central Acton Water Treatment Plant (CAWTP) construction project

### **NEW BUSINESS:**

- Review and approve the Warrant for the 2021 Annual District Meeting
- Discussion of update to the Employee Policies & Procedures Manual

**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

Board of Water Commissioners  
Meeting Minutes  
Acton Water District  
693 Massachusetts Avenue, Acton, MA  
Monday, February 22, 2021

**AGENDA**

- A. Comments from Citizens
- B. Approve Minutes from Meeting of 2/8/2021
- C. Appoint One Commissioner to Approve Warrants While Conducting Meetings Virtually

D. OLD BUSINESS:

- 1. Update on Land Lease with Baldco at 104 Powdermill Road-Rear
- 2. Update on Per- and Poly-Fluoroalkyl Substances (PFAS)
- 3. Update on Proposed Solar Projects
- 4. Discussion of the District's Annual Meeting Timeline
- 5. Commissioners' Annual Report

E. NEW BUSINESS:

- 1. Review and Approve the Land Lease with EDF Renewables for the Ground-Mount Solar Array on District Property off Lawsbrook Road
- 2. Authorize Easements for National Grid at 8 Post Office Square-Behind to Install New Gas Service to the Central Acton Water Treatment Plant (CAWTP)

**Present at Tonight's Meeting:**

Commissioners: Erika Amir-Lin (Chair), Stephen Stuntz, Barry Rosen  
District Manager: Chris Allen  
District Treasurer: Mary Jo Bates  
District Counsel: Mary Bassett  
Environmental Manager: Matthew Mostoller  
Commissioners Secretary: Lynn Protasowicki  
Finance Committee: Bill Guthlein

Citizens:

Kim Kastens  
Ron Parenti

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, February 22, 2021 by Ms. Erika Amir-Lin.

**A. Comments from Citizens**

Kim Kastens: regarding how to bill the Debt Service Fee. She suggests scaling the debt service by the number of bedrooms per household. The number of bedrooms stays the same month after month and is known by the Town because they need to have it for Title V septic. Move the District closer to environmental justice because it would spread the cost – smaller households would have a smaller burden and larger households would have larger burden. If you did the math just right, you could end up with the same amount of income just spread the dollar you need scaled by the number of bedrooms across town. Ms. Amir-Lin asked if she knows of any communities doing this? Ms. Kastens stated that no she was just listening to the nature of the problem and came up with this idea.

**B. Approve Minutes from Meeting of 2/8/2021**

Mr. Stuntz moved to approve the minutes of February 8, 2021. Mr. Rosen seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, and Ms. Amir-Lin.

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

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

**D. OLD BUSINESS:**

1. Update on Land Lease with Baldco at 104 Powdermill Road-Rear.

Mr. Allen provided an update on the land lease with Baldco at 104 Powdermill Road-Rear. They had the site walk on February 11<sup>th</sup>; visited area of primary discussion where the material in question is located; met the surveyor and the owner representative Jason Wolfe from Money Matters Radio and had discussion about the material, there is some confusion about the material that we were talking about; Chris and Matt pointed out the grade change over time in addition to the berm behind the office building at 36 Knox Trail on abutting parcel; Mr. Wolfe was going to get a price from Hancock Associates, the Surveyor, to quantify the material and do a field survey and get an approximate amount of material and we would have to proceed from there. Mr. Allen concluded that they will need another one-year extension to this lease. This is the best solution to problem right now. Baldco is seeking a 20-year lease but Mr. Allen doesn't believe that we are ready to meet that request. There are too many unknowns. At the end of March their current one-year extension expires anyway. He recommends giving them another one-year lease and revisit in 2022. During the course of time, some resolutions to current issues should be achieved.

Louis Levine – agrees with Chris that this is the most sensible thing to do which is to enter into the extension of the one-year lease. He will keep the dialog open with Chris as to determine the areas as to what can be done, and we will come back in future with a plan.

Mr. Stuntz moved to extend the one-year lease of March 29, 2021 -with the term beginning April 1<sup>st</sup>, 2021 and expiring March 31, 2022 with terms and payments staying the same in the current lease. Mr. Rosen seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, and Ms. Amir-Lin.

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

Mr. Allen stated there are sample results from January. We have not heard from the state on the round 2 PFAS grants for the permit and design for Assabet 3 and as soon as we hear he will notify the Board.

Mr. Mostoller stated that the PFAS concentration in the finished water at the North Acton Water Treatment Plant (NAWTP) was at 19.23 Parts Per Trillion (PPT) and Conant 1 well was at 16.3 PPT; both were below the MCL of 20 PPT. Last Thursday we did update the website with the data, and we notified the 312 customers who have signed up to receive those notifications. Our raw water samples were rejected again by the Mass DEP (3<sup>rd</sup> time we resample them). We do continue to sample and wrapped up our February sampling today. We should have new information for the Board meeting on March 8<sup>th</sup>. The NAWTP was put back online supplying water to the distribution system. That had our highest concentration of PFAS last spring. Since that plant was taken offline, we have done significant maintenance and we've reconfigured the raw water flow and done two PFAS pilots. All of that work is behind us. Over last months the concentrations have decreased from where they had been. Kennedy well #2 had been detected in the 90 PPT range and it has been dropping steadily. Helping to manage some of these lower concentrations. Sampled last week and today to utilize that source.

Mr. Rosen asked Mr. Mostoller if he knows why our raw water samples are being rejected? Mr. Mostoller believes it's one lab. They have been having problems in meeting the quality assurance/quality controls protocols. Mass DEP contracted with UMASS Amherst to be a technical assistance provider for their PFAS sampling program. One particular lab was having problem with raw water samples.

Ms. Amir-Lin - Are labs still backlogged? Mr. Mostoller there is still some throughput issues. We got our January samples right at the 10-day mark and we didn't get all of the reports back.

Ron Parenti – had a question about the variations in the sampling. Why in the sample have they varied so much over the months at North Acton? Mr. Mostoller stated that we did replace the membranes, the tighter membranes have a better ability to exclude different constituents; we've been diverting water from the Kennedy #2 well with the highest concentration we are using that as a capture well. Outside of those two influences he does not have a good handle of why there are such variations. Mr. Parenti – could it be a sampling issue? Mr. Mostoller yes it certainly can be that. We've asked that many times. Lab data usability has been a question we have asked DEP since the beginning. Its only recent that they have come up a protocol to review and reject data. A lot of the data we collected in 2020 year could be suspect data. How much credibility to put into it is unsure.

Ron Parenti – two different levels believable? Matt: are the labs actually able to quantify at that level. It's still an ongoing concern.

Kim Kastens – when you pump the Kennedy well with its high PFAS, where does the water get pumped to? Mr. Mostoller stated that the water is getting pumped 600 feet away to a different part of the property which is still part of capture zone. We capture it and then it's diluted as a close loop cycle. Matt: Moving it to different medias never actually solving the PFAS problem.

### 3. Update on Proposed Solar Projects.

Mr. Allen – the Payment In Lieu of Taxes (PILOT) process concluded with a favorable resolution. The Town did consider our in-kind contributions, the betterment of Acton and that we provide the Town and Regional School District a municipal water rate. It did reduce the \$99K per year to \$56K per year based on a report the District provided to the Town. EDF Renewables decided that they would take on the entire amount by themselves -no cost sharing with the District - which is the \$56K. He stated that Peter Bay, EDF's Project Manager, doesn't anticipate any problems.

Kim Kastens: last week at the planning board meeting when the solar array for WR Grace was talked about. A question was raised about a different PFAS in the fire suppressant foam system inside the battery containers in their plan. They basically said that's the only kind of fire suppressant there is for these battery systems. So, she was wondering if there is PFAS in the fire suppressant systems for the Water District system. Mr. Allen stated it's a dry chemical extinguishing agent so yes, he believes there is PFAS in it. The battery enclosure is completely enclosed so in the event there is a fire that there shouldn't be any release to the environment. Mr. Allen did not have ana Safety Data Sheet (SDS) for the chemical extinguishing agent to confirm its constituency.

### 4. Discussion of the District's Annual Meeting Timeline.

The Fiscal Year 2022 Budget has been approved; we have the draft Annual Meeting Warrant being worked on;; and, thus, Mr. Allen recommends setting a meeting date of Wednesday, May 5<sup>th</sup> at 6:00 PM for the District's Annual Meeting. Since we believe that there will still be restrictions for indoor gatherings in place due to COVID-19, we would hold the meeting in the parking lot at the District. If there is rain, we could hold the meeting in the garage, where there's adequate space for social distancing and all safety protocols would be observed.

Mr. Stuntz moved to set the District's Annual Meeting to Wednesday, May 5, 2021 at 6:00 PM at the Water District office. Ms. Amir-Lin seconded the motion and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, Ms. Amir-Lin

Mr. Mostoller - Does the Board want to have a printed version of the Annual Report and Annual Meeting Warrant mailed to voters or some modified version?

After much deliberation, it was decided by the Board to do a hybrid model: email those that the District has an email for: mail a postcard to those we do not have an email for letting them know it is available on-line and a hard copy can be mailed: and a reminder in the April bill.

#### 5. Commissioners' Annual Report.

Ms. Amir-Lin stated that it has been written and has been reviewed. The question Mr. Rosen asked who is the audience/addressed to? Is it to those who are water takers or all Acton residents? Mr. Allen confirmed it is addressed to water takers. Ms. Amir-Lin will update with comments about the drought and any other comments suggested by Mr. Allen and Mr. Mostoller would like to finalize it this week.

#### **Other Old Business:**

Matt: Got our pumping test approval letter by Mass DEP.

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

##### 1. Review and Approve the Land Lease with EDF Renewables for the Ground-Mount Solar Array on District Property off Lawsbrook Road.

District Counsel Bassett reviewed for the Commissioners the draft land lease with EDF Renewables for the ground-mount solar array on District property off Lawsbrook Road. The current draft states that the District will not pay any additional taxes so it's technically dependent on the PILOT being agreed to. This is something that we have been working on for quite some time. Mr. Mostoller looked at all the environmental issues involved. Ms. Bates looked at all the financial issues. Counselor Bassett looked at all the legal issues. Mr. Allen stated that there'd been one alteration with development there was a proposed construction payment that was carried over to Draft Budget of \$10K per month. It was a point of discussions with EDF Renewables they will afford a \$20K flat payment not a \$10K per month during construction. If the Board wants to wait until PILOT is approved, then we can wait until next meeting for the Board to approve the lease. It is pretty much in final form. But, until EDF Renewables approves the PILOT, the Commissioners will wait to approve the lease.

##### 2. Authorize Easements for National Grid at 8 Post Office Square-Behind to Install New Gas Service to the Central Acton Water Treatment Plant (CAWTP).

Mr. Stuntz moved to authorize to convey rights for the easements to National Grid at 8 Post Office Square-Behind to install a new gas service to the Central Acton Water Treatment Plant (CAWTP). Mr. Rosen seconded the motion and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, Ms. Amir-Lin

#### **Other New Business:**

Mr. Rosen is proposing to add a new agenda item for the next Board meeting regarding Mary Jo Bates' report to go over financials and to discuss the consigning an outside agency for a new employee manual and to update the District's job descriptions.

*Mr. Stuntz motioned to adjourn the open meeting at 8:37 PM. Mr. Rosen seconded the motion and it was unanimously approved by a roll call vote: Mr. Stuntz, Mr. Rosen, Ms. Amir-Lin*

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 30, 2021  
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**

**Moderator 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, May 5, 2021  
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.

**Article 7.** To see if the District will vote to transfer from Surplus Revenue the sum of \$75,000 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 \$30,000 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 \$65,000 for the replacement of the granular activated carbon media at the Clapp and Whitcomb well sites on Massachusetts Avenue in Acton 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 \$60,000 for the purchase of two general service vehicles and to authorize the sale or trade District's 2010 Ford Ranger pickup and the 2012 Ford Escape Sport Utility Vehicle or to take any other action relative thereto.

**Article 13.** 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 14.** To see if the District will vote to transfer from Grace Stabilization Fund (W.R. Grace settlement) the sum of \$250,000 for the engineering, design, construction and permitting associated with the Assabet #3 well or to take any other action relative thereto.

**Article 15.** To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners to transfer to Surplus Revenue the following unexpended balances remaining after the completion of projects authorized by vote of the District or to take any other action relative thereto:

A. Unissued balance in the sum of \$10,075.00, Article 16 of the Annual Meeting of March 16, 2016 for Residuals Management Study;

B. Unissued balance in the sum of \$28,375.00, Article 17 of the Annual Meeting of June 8, 2020 for acquisition of easements for project upgrades and infrastructure work at the Conant II well site;

C. Unissued balance in the sum of \$532.06, Article 16 of the Annual Meeting of March 21, 2012, for engineering costs for NAWTP.

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 8<sup>th</sup> day of March in the year two thousand and twenty-one.

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

A true copy. ATTEST:

William T. Stanford  
District Clerk